

IOWA CRIMINAL STATUTES SUMMARY CHART—2019

Judge Michael R. Mullins & Drake University Law School
For offenses occurring on 7/1/2019 through 6/30/2020.

INTRODUCTION

This chart was developed primarily for use by district and district associate court judges as a checklist and guide while advising criminal defendants of maximum and minimum penalties at the guilty plea phase of criminal proceedings and while imposing judgment and sentence. This chart will also be useful to magistrates and judges at initial appearances when informing a defendant of the charge or complaint against the defendant. Lawyers, legislators, media representatives, and the general public may find it useful in identifying the consequences of criminal code violations. The flow of content of this updated chart contains substantially more detail, and attempts to present content more usefully than earlier versions of this chart.

The chart does not list every possible crime identified in the Iowa Code. (*A future version of this chart will include the following: The “Overview of Sentencing in Iowa” section of this chart provides a step-by-step approach to determining the sentencing consequences of crimes not listed in the chart and in resolving apparent conflicts in the panoply of multiple sentencing provisions.*)

This new version of the chart contains more footnote and case information than was possible in the earlier versions. The new format will more readily accommodate additional enhancements of resource information in the future.

NEW FEATURE: (1) All Iowa Code sections in this chart, including footnotes, are hyperlinked to the Code. Please hover over the section number, then press the “ctrl” key on your keyboard while you click on the section number to link to the text of the Code section. (2) Unless otherwise specified, the cited Code section is the 2019 Iowa Code. Citations to legislation are also hyperlinked.

EXCITING NEW ACCESS: You can now access individual pages of the chart on a smartphone, iphone or tablet using the FastCase app sponsored by the Iowa State Bar Association.

CAVEATS: (1) This chart is based solely on the authors’ understanding and interpretation of the applicable provisions. This chart is NOT an official document of the Judicial Branch of the State of Iowa, and is NOT intended as and may not be used as any authority in support of any interpretation of Iowa law. (2) Users of this chart must conduct their own research and analysis and reach their own conclusions concerning Iowa law.

Feedback, comments, corrections, suggestions, and requests for updates can be sent to IowaSentencingProject@gmail.com.

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Version 1-19

HOW TO USE THIS CHART

Step 1: Find Code Section

Find the code section under the “Code Sections” portion of this chart. Hint: Click on the “Bookmarks” icon along the left-hand side of the chart. Use the “Bookmarks” and the expand/collapse boxes to quickly locate and jump to the applicable code section, subsection, etc.

The screenshot shows a computer screen displaying the "IOWA CRIMINAL STATUTES SUMMARY CHART—2016". On the left, there is a "Bookmarks" sidebar with a red circle around the "Bookmarks" icon. Below it, the "Code Sections" category is expanded, showing chapters 1-99G, 100-199, 200-299A, 300-399, 400-499B, 500-599, 600-699, and 700-end. A red arrow points from the "Code Sections" heading towards the main content area. The main content area features a title "INTRODUCTION" and a paragraph explaining the chart's purpose. At the bottom right of the main content area, there is a "JAIL/PRISON TIME" table.

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁷⁵⁶	48 hours ⁷⁵⁷	N/A	<p>DJ Eligible⁷⁵⁸ unless:</p> <ul style="list-style-type: none">❖ Convicted under § 321J.2 or DL revoked under ch. 321J,⁷⁵⁹ and❖ Any of the following apply⁷⁶⁰:<ul style="list-style-type: none">➢ BAC > .15⁷⁶¹➢ Prior conviction of § 321J.2(1) or substantially corresponding statute in another state⁷⁶²➢ Previous DJ or DS for violation of § 321J.2(1) or substantially corresponding statute in another state⁷⁶³➢ Refused consent to chemical test per § 321J.6⁷⁶⁴➢ Offense results in bodily injury to another person⁷⁶⁵<p>DS Eligible⁷⁶⁶ unless:</p><ul style="list-style-type: none">❖ Any of the following apply:➢ BAC > .15⁷⁶⁷➢ Prior conviction of § 321J.2(1) or substantially corresponding statute in another state⁷⁶⁸➢ Previous DJ or DS for violation of § 321J.2(1) or substantially corresponding statute in another state⁷⁶⁹➢ Refused consent to chemical test per § 321J.6⁷⁷⁰➢ Offense results in bodily injury to another person⁷⁷¹<p>SS Eligible⁷⁷² but cannot suspend 48-hour min.⁷⁷³</p><p>See Notes</p>

Example: To find Iowa Code section [321J.2\(2\)\(a\)](#), in the Bookmarks, click the expansion box next to “Code Sections,” then click the expansion box next to “Chapters 300–399,” then click the expansion box next to “Ch. 321J Operating While Intoxicated,” then click the expansion box next to “§ [321J.2](#)--OWI,” and, finally, select “§ [321J.2\(2\)\(a\)](#)—First offense.”

The screenshot shows the same "IOWA CRIMINAL STATUTES SUMMARY CHART—2016" interface. In the Bookmarks sidebar, a red arrow points to the "§ 321J.2(2)(a)—First offense" section, which is highlighted in blue. The main content area now displays detailed information for this specific section, including its classification as a "serious misdemeanor" and its jail/prison time requirements. The "JAIL/PRISON TIME" table is populated with the values shown in the first screenshot.

Step 2: Sentence per Information in Particular Section

A. Introductory Notes or Comments

A few code sections include notes or comments immediately below the section, subsection, sub-subsection, etc. number and title. Do not skip over these as they may provide alternative sentencing options, limitations, or other relevant information.

§ 321J.2(2)(b)—Second offense

- ❖ In determining if violation is second offense:
 - Previous offenses include:
 - DJ for violations of § 321J.2 entered per § 907.3⁸²⁹
 - Convictions or equivalent of DJ for violations of substantially corresponding statutes from other states⁸³⁰
 - Court shall take judicial notice of these statutes⁸³¹
 - Each conviction or DJ entered before date the instant offense was charged is a separate offense⁸³²
 - Previous offenses do not include:
 - Any conviction or license revocation deleted from motor vehicle operating records per § 321.12⁸³³

Class = aggravated misdemeanor⁸³⁴

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?

B. Class

This indicates whether the offense is a class “A,” “B,” “C,” or “D” felony, or simple, serious, or aggravated misdemeanor. The corresponding footnote provides the code provision where this classification can be found.

§ 81.6(2)—Alteration, attempted alteration, or falsification

Class = “D” felony¹¹

Jail/Prison Time

Max	Min	Mand Min before Parole Eligible?	DJ, DS, or SS Eligible?



¹¹ Iowa Code § 81.6(2) (2015).

¹² Iowa Code § 902.9(1)(e) (2015).

¹³ Iowa Code § 902.9(1)(e) (2015).

¹⁴ See Iowa Code § 907.2 (2015).

A few offenses have alternative classifications, depending on the underlying facts and circumstances of the offense. In this instance, the alternative classifications and their predicate underlying facts and circumstances have been included.

Violation of § 124.401(5) + 2 or more prior convictions under chapter 124, 124A, 124B, or 453B

Class:

- ❖ if controlled substance is marijuana and the 2 or more prior convictions were under § 124.401(5) where the controlled substance was marijuana, aggravated misdemeanor¹¹¹
- ❖ for all others, “D” felony¹¹²

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?

A few offenses do not fall into one of the above-mentioned classes. If this is the case, the lack of classification has been noted, either where the classification information would normally be (as in the example below) or in the corresponding footnote.

§ 124.401D(1)—Conspiracy to deliver to person under 18 years old			
§ 124.401D(1)(b)—First offense			
Class = felony punishable under § 902.9(1)(a) ¹⁴²			
Prison/Jail Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?

C. Jail/Prison Time

Jail/Prison Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²	0 ¹³	No, but see Enhancements	Yes ¹⁴

1. Max.

This box contains the maximum jail or prison sentence that can be imposed for the offense. This box does not take into account any increased maximums due to any sentencing enhancements. If sentencing enhancements apply, look at the “Sentencing Enhancements” portion of this chart, find the applicable enhancement, and determine if that enhancement affects the maximum jail or prison sentence.

Unless otherwise specified, such as in an enhancement, a prison sentence for any felony is imposed as “an indeterminate term not to exceed ____ years.” The court does not determine the minimum term of incarceration before the person is eligible for parole or work release, unless the code indicates otherwise (in those situations, a note indicating as much has been added to the chart).

Simple and serious misdemeanors are sentenced as determinate terms, meaning the court must determine the exact number of days, or one year, to be served. For example, for a serious misdemeanor, which has a maximum term of incarceration of one year, the sentencing judge could sentence the person to one year or to 0, 45, 90, 365, etc. days in county jail, but the judge cannot sentence the person to “an indeterminate term not to exceed one year.”

Aggravated misdemeanors can be sentenced as either a determinate term of up to one year in the county jail, just like a serious misdemeanor, or an indeterminate term not to exceed two years in prison, similar to a sentence imposed for a felony. However, the sentencing judge could not order “an indeterminate term of up to one year” or a determinate term of 400 days in county jail.

2. Min.

This box contains the minimum amount of jail/prison time imposed for the specific crime, without consideration of any applicable enhancement.

§ 708.2A(2)(a)—DAA, First offense			
Class = simple misdemeanor ¹⁴⁶⁹			
Jail/Prison Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁴⁷⁰	2 days ¹⁴⁷¹	N/A	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence ❖ DJ and DS eligible if: <ul style="list-style-type: none"> ➢ no previous DS or DJ for violation on DAA,¹⁴⁷³ or ➢ no similar relief granted anywhere statute substantially corresponding <p>❖ Mandatory minimum must be served on consecutive days¹⁴⁷⁵</p>

3. Mand. Min. before Parole Eligible?

If there is a mandatory minimum amount of prison time that must be served before the person is eligible for parole or work release, the minimum—or the formula for calculating the minimum—will be stated.

Formula:

§ 710.3—2d Degree Kidnapping			
Class = “B” felony ²⁴⁴⁰			
Jail/Prison Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁴⁴¹	0 ²⁴⁴²	Not eligible until has served 70% of max. term of sentence ²⁴⁴³ See also Enhancements ❖ Note: kidnapping as defined in § 710.1 can be a SVO ²⁴⁴⁴	No, ²⁴⁴⁵ but see Under 18 Sentencing

Specific Amount:

§ 124.401D(1)—Conspiracy to deliver to person under 18 years old			
§ 124.401D(1)(b)—First offense			
Class = felony punishable under § 902.9(1)(a) ³⁴²			
Prison/Jail Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
99 years, ³⁴³ see Notes	0 ³⁴⁴	Not eligible until has served minimum term of confinement of 10 years, ³⁴⁵ see also Drug Enhancements and General Enhancements	Yes ³⁴⁶

For many offenses, the box may say “No, but see Enhancements,” or something substantially similar. In this situation, there is not a mandatory minimum that is specific to that offense, but there might be one if a sentence enhancement applies. (See Initial Note in Step 3: Enhancements, *infra*, for information).

4. DJ, DS, or SS Eligible?

This box indicates whether the person being sentenced for a particular offense can receive a deferred judgment (DJ), a deferred sentence (DS), or suspended sentence (SS).

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²	0 ¹³	No, but see Enhancements	Yes ¹⁴

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ¹⁰⁰	0 ¹⁰¹	<p>Not eligible until has served 1/3 of 50 years,¹⁰² but see Under 18 Sentencing</p> <ul style="list-style-type: none"> Exceptions: mandatory minimum does not apply if: <ul style="list-style-type: none"> offense is an accommodation per § 124.410,¹⁰³ or controlled substance is marijuana¹⁰⁴ <p>See Notes</p>	<p>Yes, but no DJ, DS, or SS if controlled substance is meth¹⁰⁵ (but see Under 18 Sentencing)</p>

D. Fines

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁵	\$750 ¹⁶	Yes

A. Max. & Min.

These provide the maximum and minimum fine that can be imposed. Unless otherwise indicated in the particular offense, a fine must be imposed if there is one stated.

B. Can Suspend?

This box indicates whether the fine can be suspended. Most often, the answer is “Yes,” but if the answer is “No,” a footnote is provided that references the particular code provision prohibiting suspension of the fine. If the code does not provide a fine for the particular offense, this box will say “N/A” and be grayed out.

E. Surcharges

All surcharges are imposed in addition to any other penalty imposed. The “county enforcement” surcharge found in Iowa Code section 911.4 is county-specific, so is not included in this chart. See Iowa Code § 911.4 for more information.

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷	No	No	No	No	No

1. 35% of fine or forfeiture

This surcharge applies anytime there is a fine or forfeiture imposed. The surcharge is 35% of the fine or forfeiture imposed. If the code does not provide a fine for a particular offense, this box will say “N/A” and be grayed out. However, the surcharge may still apply if there was a forfeiture.

2. DARE

This box indicates whether the “drug abuse resistance education” surcharge applies. If it does, the surcharge is \$10. If it does not, the box will say “No” and be grayed out.

3. HTV

This box indicates whether the “human trafficking victim” surcharge applies. If it does, the surcharge is \$1000. If it does not, the box will say “No” and be grayed out.

4. DAA, SA, stalking, HTV

This box indicates whether the “domestic abuse assault, sexual abuse, stalking, and human trafficking victim” surcharge applies. If it does, the surcharge is \$100. If it does not, the box will say “No” and be grayed out.

5. DA Prot. Order Contempt

This box indicates whether the “domestic abuse protective order contempt” surcharge applies. If it does, the surcharge is \$50. If it does not, the box will say “No” and be grayed out.

6. LEIS

This box indicates whether the “law enforcement initiative” surcharge applies. If it does, the surcharge is \$125. If it does not, the box will say “No” and be grayed out.

F. Miscellaneous

Miscellaneous			
License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸	No	No

1. License Revocation

This box indicates whether the person’s driver’s license is to be revoked at sentencing, and if so, for how long.

2. DNA Test

This box indicates whether the person must provide a DNA sample. Unless otherwise indicated, the answer is always “Yes” for any felony offense, always “No” for any simple or serious misdemeanor offense, and “Yes” if a judgment or conviction was entered for an aggravated misdemeanor (i.e., the answer is “No” if the person receives a DJ for an aggravated misdemeanor).

Additionally, even if the person is not required to provide a DNA sample, the sentencing judge may order the person to provide one per Iowa Code section [901.5](#)(8A).

3. Sex Registry

This box indicates whether the person is required to register for the sex offender registry.

4. Deny Benefits

This box indicates whether the sentencing judge may order certain state or federal benefits be denied to the person per Iowa Code section [901.5](#)(11) and (12).

G. Notes:

This portion of each offense’s sentencing page provides additional pertinent information, such as exceptions and explanations to the information provided in the above-discussed boxes.

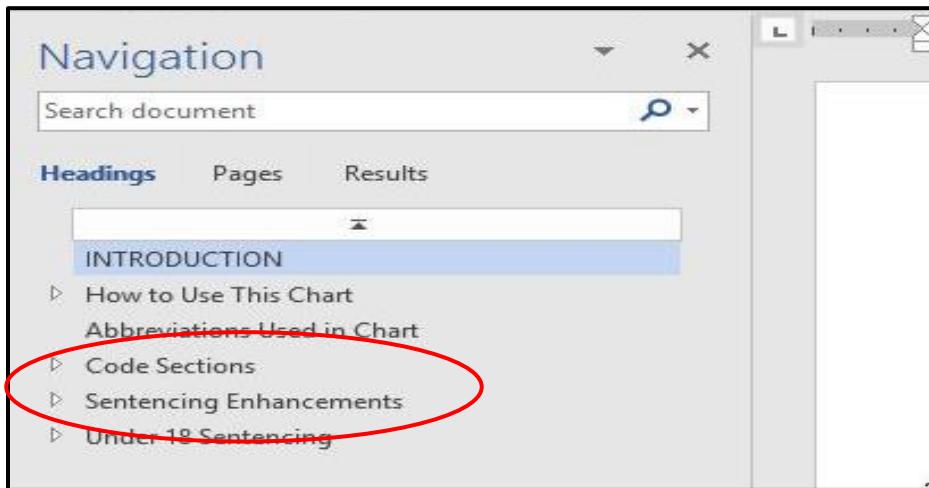
Sometimes, one of the above-discussed boxes will say “see Notes” or “but see Notes” as a “heads up” that there is additional information in this Notes section.

Be aware that the Notes section can continue onto a second (or third) page for some offenses.

Step 3: Enhancements.

A. Initial Note

General Enhancements are identified in this chart as “Sentencing Enhancements” or “Enhancements.” The Sentencing Enhancements portion of the chart is located after the Code Sections, as can be seen in the Navigation Pane.



Because the applicability of enhancements is case dependent, instead of including a list of each enhancement, its requirements, and consequences in the Notes for every felony, these “general” enhancements are grouped together in their own chart section, and reminders to “see Enhancements” or “but see Enhancements” were added to the relevant offenses.

Jail/Prison Time			
Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²	0 ¹³	No, but see Enhancements	Yes ¹⁴

Specific Enhancements are identified for offenses or types of offenses that have their own specific sentence enhancements in addition to the general enhancements (e.g., the drug offenses contained in [chapter 124](#)). If the offense-specific enhancements could cover several different offenses within one chapter, those chapters have their own Enhancements section, which can be found at the end of the chapter’s offenses and is titled “[Specific Type of Offense] Enhancements” (e.g., “Drug Enhancements”).

You should examine all the relevant enhancements sections—General Enhancements and Specific Enhancements—to determine if any might apply.

If multiple enhancements are in conflict, generally, the greater mandatories subsume any lesser mandatories, and percentage mandatories (such as the 70% mandatory minimum before parole eligible from Iowa Code section [902.12](#)) apply to the final total. For example, the 70% mandatory minimum in section [902.12](#) prevails over the three-year minimum in section 902.8 (habitual offender). Likewise, the one-third mandatory minimum in section [124.413](#) also prevails over the three-year minimum in section 902.8.

Step 4: Under 18 Sentencing.

The chart includes “but see Under 18 Sentencing” notes to identify possible exceptions to the sentencing consequences in the chart for a person who was under age 18 at the time the offense was committed. A separate section of the chart outlines the Under 18 Sentencing provisions.

Step 5: Consecutive or Concurrent Sentences.

If the person is being sentenced for multiple offenses, the sentencing judge has discretion to impose consecutive or concurrent sentences. Iowa Code § 901.8. *But see id.* §§ 901.8, [908.10](#), unnum. para. 2, [908.10A](#), unnum. para. 2; *see also* *State v. Hill*, 878 N.W.2d 269, 273–74 (Iowa 2016).

ABBREVIATIONS USED IN CHART

*Note: Abbreviations are in alphabetical order

DA	Domestic Abuse
DAA	Domestic Abuse Assault
DJ	Deferred Judgment
DL	Driver's License
DS	Deferred Sentence
HTV	Human Trafficking Victim
LEIS	Law Enforcement Initiative Surcharge
Mand. Min.	Mandatory Minimum
Max.	Maximum
Min.	Minimum
Prot.	Protective
SA	Sexual Abuse
SPO	Sexually Predatory Offense
SS	Suspended Sentence
SVO	Sexually Violent Offense

CODE SECTIONS

Chapters 1–99G

CH. 81 DNA PROFILING

§ 81.6—*Unlawful Disclosure or Alteration*

§ 81.6(1)—Disclosure of DNA record

Class = aggravated misdemeanor¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²	0 ³	None	Yes ⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ⁶	\$625 ⁷	Yes ⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁰	No	No

Notes:

¹ Iowa Code § 81.6(1).

² Iowa Code § 903.1(2).

³ Iowa Code § 903.1(2).

⁴ See Iowa Code § 907.3.

⁵ Iowa Code § 903.1(2).

⁶ Iowa Code § 903.1(2).

⁷ Iowa Code § 903.1(2).

⁸ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁹ Iowa Code § 911.1(1).

¹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 81.6(2)—Alteration, attempted alteration, or falsification

Class = “D” felony¹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²	0 ¹³	No, but see Enhancements	Yes ¹⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁵	\$750 ¹⁶	Yes ¹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹	No	No

Notes:

¹¹ Iowa Code § 81.6(2).

¹² Iowa Code § 902.9(1)(e).

¹³ Iowa Code § 902.9(1)(e).

¹⁴ See Iowa Code § 907.3.

¹⁵ Iowa Code § 902.9(1)(e).

¹⁶ Iowa Code § 902.9(1)(e).

¹⁷ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁸ Iowa Code § 911.1(1).

¹⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

Ch. 99B Social and Charitable Gambling

§ 99B.52—Electrical or Mechanical Amusement Devices

§ 99B.54(1)—Improper use in violation § 99B.52(1), (3), (4), or (5) or Failure to follow registration requirements in violation of § 99B.53(1), (2), (3), (5), (6), (7), (9), (14) or (15)

Class = serious misdemeanor²⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²¹	0 ²²	N/A	Yes ²³

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁴	\$315 ²⁵	No ²⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

²⁰ Iowa Code § 99B.54(1).

²¹ Iowa Code § 903.1(1)(b).

²² Iowa Code § 903.1(1)(b).

²³ See Iowa Code § 907.3.

²⁴ Iowa Code § 903.1(1)(b).

²⁵ Iowa Code § 903.1(1)(b).

²⁶ Iowa Code § 903.1(1).

²⁷ Iowa Code § 911.1(1).

§ 99B.54(2)(a) (first offense)—Improper use in violation of § 99B.52(2) or (6) or Failure to follow registration requirements in violation of § 99B.53(4), (8), (10), (11), (12) or (13)

Class = simple misdemeanor punishable as a scheduled violation per § 805.8C(4)(b)²⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
0 ²⁹	0 ³⁰	N/A	N/A

Fines

Max.	Min.	Can Suspend?
\$250 ³¹	\$250 ³²	No ³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

²⁸ Iowa Code § 99B.54(2)(a).

²⁹ Iowa Code § 805.8C(4)(b); *see id.* § 805.11 (“If the defendant is convicted of a scheduled violation, the penalty is the scheduled fine . . .”).

³⁰ Iowa Code § 805.8C(4)(b); *see id.* § 805.11.

³¹ Iowa Code § 805.8C(4)(b).

³² Iowa Code § 805.8C(4)(b).

³³ Iowa Code § 805.11.

³⁴ Iowa Code § 911.1(1); *see id.* § 805.8(1) (noting 35% fine or forfeiture surcharge is still applicable).

§ 99B.54(2)(b) (second or subsequent offense)—Improper use in violation of § 99B.52(2) or (6) or Failure to follow registration requirements in violation of § 99B.53(4), (8), (10), (11), (12) or (13)

Class = serious misdemeanor³⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁶	0 ³⁷	N/A	Yes ³⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁹	\$315 ⁴⁰	No ⁴¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁵ Iowa Code § 99B.54(2)(b).

³⁶ Iowa Code § 903.1(1)(b).

³⁷ Iowa Code § 903.1(1)(b).

³⁸ See Iowa Code § 907.3.

³⁹ Iowa Code § 903.1(1)(b).

⁴⁰ Iowa Code § 903.1(1)(b).

⁴¹ Iowa Code § 903.1(1).

⁴² Iowa Code § 911.1(1).

Ch. 99F Gambling Boat, Gambling Structure, and Racetrack Regulation

§ [99F.15\(6\)\(b\)](#)—Unlawful betting

§ [99F.15\(6\)\(b\)\(1\)](#)—Unlawful bet: potential winnings exceed \$1000

Class = “D” felony⁴³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴	0 ⁴⁵	No, but see Enhancements	Yes ⁴⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁷	\$750 ⁴⁸	Yes ⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵¹	No	No

Notes:

⁴³ Iowa Code § [99F.15\(6\)\(b\)\(1\)](#).

⁴⁴ Iowa Code § [902.9\(1\)\(e\)](#).

⁴⁵ Iowa Code § [902.9\(1\)\(e\)](#).

⁴⁶ See Iowa Code § [907.3](#).

⁴⁷ Iowa Code § [902.9\(1\)\(e\)](#).

⁴⁸ Iowa Code § [902.9\(1\)\(e\)](#).

⁴⁹ See Iowa Code § [902.9\(1\)\(e\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰ Iowa Code § [911.1\(1\)](#).

⁵¹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 99F.15(6)(b)(2)—Unlawful bet: potential winnings between \$500 and \$1000

Class = aggravated misdemeanor⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵³	0 ⁵⁴	None	Yes ⁵⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵⁷	\$625 ⁵⁸	Yes ⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶¹	No	No

Notes:

⁵² Iowa Code § 99F.15(6)(b)(2).

⁵³ Iowa Code § 903.1(2).

⁵⁴ Iowa Code § 903.1(2).

⁵⁵ See Iowa Code § 907.3.

⁵⁶ Iowa Code § 903.1(2).

⁵⁷ Iowa Code § 903.1(2).

⁵⁸ Iowa Code § 903.1(2).

⁵⁹ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁶⁰ Iowa Code § 911.1(1).

⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 99F.15(6)(b)(3)—Unlawful bet: potential winnings between \$200 and \$500Class = serious misdemeanor⁶²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁶³	0 ⁶⁴	N/A	Yes ⁶⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁶⁶	\$315 ⁶⁷	No ⁶⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁶² Iowa Code § [99F.15\(6\)\(b\)\(3\)](#).⁶³ Iowa Code § [903.1\(1\)\(b\)](#).⁶⁴ Iowa Code § [903.1\(1\)\(b\)](#).⁶⁵ See Iowa Code § [907.3](#).⁶⁶ Iowa Code § [903.1\(1\)\(b\)](#).⁶⁷ Iowa Code § [903.1\(1\)\(b\)](#).⁶⁸ Iowa Code § [903.1\(1\)](#).⁶⁹ Iowa Code § [911.1\(1\)](#).

§ 99F.15(6)(b)(4)—Unlawful bet: potential winnings do not exceed \$200Class = simple misdemeanor⁷⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
30 days ⁷¹	0 ⁷²	N/A	Yes ⁷³

Fines

Max.	Min.	Suspended?
\$625 ⁷⁴	\$65 ⁷⁵	No ⁷⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:⁷⁰ Iowa Code § 99F.15(6)(b)(4).⁷¹ Iowa Code § 903.1(1)(a).⁷² Iowa Code § 903.1(1)(a).⁷³ See Iowa Code § 907.3.⁷⁴ Iowa Code § 903.1(1)(a).⁷⁵ Iowa Code § 903.1(1)(a).⁷⁶ Iowa Code § 903.1(1).⁷⁷ Iowa Code § 911.1(1).

CH. 124 CONTROLLED SUBSTANCES

Special Introduction

Chapter 124 has some additional provisions that are relevant to sentencing.

chapter 124 Enhancements

Drug-specific enhancement sections of chapter 124 are:

- ❖ § 124.401A—Enhanced penalty for manufacture or distribution to persons on certain real property.
- ❖ § 124.401B—Possession of controlled substances on certain real property — additional penalty.
- ❖ § 124.401C—Manufacturing methamphetamine in presence of minors.
- ❖ § 124.401E—Certain penalties for manufacturing or delivery of amphetamine or methamphetamine.
- ❖ § 124.411—Second or subsequent offenses.

These sections are expanded upon in the “Enhancements for Drug Offenses” section, which can be found at the end of the chapter 124 offenses. If an offense in chapter 124 of the chart cross references “Drug Enhancements,” it is referring to the “Enhancements for Drug Offenses” section. The chart summaries of offenses in chapter 124 may refer to “Drug Enhancements,” “General Enhancements” (i.e., the enhancements that can be found in the “Sentencing Enhancements” section toward the end of the chart), or both, and those enhancements sections should be referenced accordingly.

Other Provisions

§ 124.408—Joint Criminal Trial.

If a person is found guilty of multiple counts of violating chapter 124, there will be a separate verdict for each count. This section allows the sentencing court to “consider such separate verdicts of guilty returned at the same time as one offense for the purpose of sentencing as provided in this chapter.” Effectively, this provision allows the sentencing court to aggregate the multiple guilty verdicts into one offense for the purpose of sentencing. (Note: This section also allows joinder of defendants.)

§ 124.409—Conditional Discharge, Commitment for Treatment, and Probation.

Only applies to violations of § 124.401 in which the court finds the person “is addicted to, dependent upon, or a chronic abuser of any controlled substance and that such person will be aided by proper medical treatment and rehabilitative services.” In that situation, the court may commit the person to (1) an in- or out-patient facility, licensed by the Iowa department of public health, for medical treatment and rehabilitative services, and (2) “the custody of a public or private agency or any other responsible person and impose other conditions upon the commitment as is necessary to insure compliance with the court’s order and to insure that the person will not, during the period of treatment and rehabilitation, again violate a provision of this chapter.”

Once the person “has received maximum benefit from the program or has recovered from addiction, dependency, or tendency to chronically abuse any controlled substance,” the public or private agency or responsible person will report as much to the court and the person will be returned to court for disposition of the case. If the person was charged or indicted, but not convicted, the case will proceed to trial or final disposition. If the person was convicted or is thereafter convicted, “the court shall sentence the person as provided by law but may remit all or any part of the sentence and place the person on probation upon terms and conditions as the court may prescribe.”

§ 124.410—Accommodation Offense.

Exception to sentencing for a violation of § 124.401(1)(d) involving marijuana. See § 124.401(1)(d)—50 kilos or less of marijuana or involving flunitrazepam, *infra*, for more information.

§ 124.401—Unlawful Manufacture & Possession of Counterfeit Substances, and Simulated Controlled Substances⁷⁸

§ 124.401(1)—[Conspiracy to] Manufacture, deliver, or possess with intent to manufacture or deliver]

§ 124.401(1)(a)—Largest quantities

Class = “B” felony⁷⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ⁸⁰	0 ⁸¹	Not eligible until has served one-third of 50 years, ⁸² but see Under 18 Sentencing <ul style="list-style-type: none"> • Exceptions: mandatory minimum does not apply if: <ul style="list-style-type: none"> ➢ offense is an accommodation per § 124.410,⁸³ or ➢ controlled substance is marijuana⁸⁴ See Notes See also Drug Enhancements and General Enhancements	Yes, but no DJ, DS, or SS if controlled substance is meth ⁸⁵ (but see Under 18 Sentencing)

Fines

Max	Min.	Can Suspend?
\$1M ⁸⁶	0 ⁸⁷	Yes, unless controlled substance is meth ⁸⁸ (but see Under 18 Sentencing)

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁸⁹	Yes, \$10 ⁹⁰ but n/a if received DJ, DS, or SS ⁹¹	No	No	No	Yes, \$125 ⁹²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁹³ 180 days, ⁹⁴ see Notes	Yes ⁹⁵	No	Yes, consider denying state ⁹⁶ and federal benefits. ⁹⁷

⁷⁸ Iowa Code § [124.401](#)(1).

⁷⁹ Iowa Code § [124.401](#)(1)(a).

⁸⁰ Iowa Code § [124.401](#)(1)(a).

⁸¹ Iowa Code § [902.9](#)(1)(b).

⁸² Iowa Code § [124.413](#)(1).

⁸³ Iowa Code § [124.413](#)(2)(a).

⁸⁴ Iowa Code § [124.413](#)(2)(b).

⁸⁵ Iowa Code § [907.3](#) (1)(a)(5), (2)(a)(1), (3)(e).

⁸⁶ Iowa Code § [124.401](#)(1)(a).

⁸⁷ See Iowa Code §§ [124.401](#)(1)(a), [902.9](#)(1)(b) (no explicit minimum fine provided).

⁸⁸ Iowa Code § [907.3](#) (3)(e).

⁸⁹ Iowa Code § [911.1](#)(1).

⁹⁰ Iowa Code § [911.2](#)(1).

⁹¹ Iowa Code § [911.2](#)(2).

⁹² Iowa Code § [911.3](#)(1).

⁹³ Iowa Code § [901.5](#)(10)(a)(1); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁹⁴ Iowa Code § [901.5](#)(10)(a); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁹⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁹⁶ Iowa Code § [901.5](#)(12).

⁹⁷ Iowa Code § [901.5](#)(11).

Notes:

- ❖ Mand. Min. before Parole Eligible:
 - Sentence Reduction:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁹⁸
 - violation is first conviction under § [124.413](#)
 - ◆ Note: § [124.413](#) sets out mandatory minimum before parole eligible for violation of § [124.401\(1\)](#)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
 - exception:
 - if violation of § [124.401\(1\)\(a\)](#) involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty⁹⁹
 - ◆ can reduce mandatory minimum sentence by up to one-third if pleads guilty¹⁰⁰
 - ◆ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:¹⁰¹
 - offender pleads guilty
 - cooperates in prosecution of others involved in the sale or use of controlled substances
 - prosecutor requests an additional reduction because of such cooperation
- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed¹⁰²
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business¹⁰³

⁹⁸ Iowa Code § [901.10\(1\)](#).

⁹⁹ Iowa Code § [901.10\(2\)](#).

¹⁰⁰ Iowa Code § [901.10\(2\)](#).

¹⁰¹ Iowa Code § [901.10\(2\)](#).

¹⁰² Iowa Code § [901.5\(10\)\(b\)](#); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹⁰³ Iowa Code § [124.412](#).

§ 124.401(1)(b)—Smaller quantities

Class = “B” felony¹⁰⁴

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹⁰⁵	0 ¹⁰⁶	<p>Not eligible until has served between one-half of one-third of max. indeterminate term and max. indeterminate term¹⁰⁷ (i.e., 1/3 of 25 years = 8.333; 1/2 of 8.333 = 4.167; not eligible until served between 4.167 and 25 years), but see Under 18 Sentencing</p> <ul style="list-style-type: none"> • Exceptions: mandatory minimum does not apply if: <ul style="list-style-type: none"> ➢ offense is an accommodation per § 124.410,¹⁰⁸ or ➢ controlled substance is marijuana¹⁰⁹ • court must determine at time of sentencing when person is to become eligible for parole or work release¹¹⁰ <ul style="list-style-type: none"> ➢ determination should be “based upon all pertinent information including the person’s criminal record, a validated risk assessment, and the negative impact the offense has had on the victim or other persons”¹¹¹ <p>See Notes See also Drug Enhancements and General Enhancements</p>	Yes, but no DJ, DS, or SS if controlled substance is meth ¹¹² (but see Under 18 Sentencing)

Fines

Max	Min.	Can Suspend?
\$100,000 ¹¹³	\$5000 ¹¹⁴	Yes, unless controlled substance is meth ¹¹⁵ (but see Under 18 Sentencing)

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁶	Yes, \$10 ¹¹⁷ but n/a if received DJ, DS, or SS ¹¹⁸	No	No	No	Yes, \$125 ¹¹⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
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¹⁰⁴ Iowa Code § [124.401](#)(1)(b).

¹⁰⁵ Iowa Code § [902.9](#)(1)(b).

¹⁰⁶ Iowa Code § [902.9](#)(1)(b).

¹⁰⁷ Iowa Code § [124.413](#)(1), (3).

¹⁰⁸ Iowa Code § [124.413](#)(2)(a).

¹⁰⁹ Iowa Code § [124.413](#)(2)(b).

¹¹⁰ Iowa Code § [901.11](#)(1).

¹¹¹ Iowa Code § [901.11](#)(1).

¹¹² Iowa Code § [907.3](#) (1)(a)(5), (2)(a)(1), (3)(e).

¹¹³ Iowa Code § [124.401](#)(1)(b).

¹¹⁴ Iowa Code § [124.401](#)(1)(b).

¹¹⁵ Iowa Code § [907.3](#) (3)(e).

¹¹⁶ Iowa Code § [911.1](#)(1).

¹¹⁷ Iowa Code § [911.2](#)(1).

¹¹⁸ Iowa Code § [911.2](#)(2).

¹¹⁹ Iowa Code § [911.3](#)(1).

Yes, ¹²⁰ 180 days, ¹²¹ see Notes	Yes ¹²²	No	Yes, consider denying state ¹²³ and federal benefits. ¹²⁴
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Notes:

- ❖ Mand. Min. before Parole Eligible:
 - Sentence Reduction:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:¹²⁵
 - violation is first conviction under § [124.413](#)
 - ◆ Note: § [124.413](#) sets out mandatory minimum before parole eligible for violation of § [124.401](#)(1)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
 - exception:
 - if violation of § [124.401](#)(1)(b) involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty¹²⁶
 - ◆ can reduce mandatory minimum sentence by up to one-third if pleads guilty¹²⁷
 - ◆ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:¹²⁸
 - offender pleads guilty
 - cooperates in prosecution of others involved in the sale or use of controlled substances
 - prosecutor requests an additional reduction because of such cooperation
- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed¹²⁹
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business¹³⁰

¹²⁰ Iowa Code § [901.5](#)(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹²¹ Iowa Code § [901.5](#)(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹²² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹²³ Iowa Code § [901.5](#)(12).

¹²⁴ Iowa Code § [901.5](#)(11).

¹²⁵ Iowa Code § [901.10](#)(1).

¹²⁶ Iowa Code § [901.10](#)(2).

¹²⁷ Iowa Code § [901.10](#)(2).

¹²⁸ Iowa Code § [901.10](#)(2).

¹²⁹ Iowa Code § [901.5](#)(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹³⁰ Iowa Code § [124.412](#).

§ 124.401(1)(c)–Smaller quantities

Class = “C” felony¹³¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹³²	0 ¹³³	No, but see Drug Enhancements and General Enhancements	Yes, ¹³⁴ see also Notes

Fines

Max	Min.	Can Suspend?
\$50,000 ¹³⁵	\$1000 ¹³⁶	Yes ¹³⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁸	Yes, \$10 ¹³⁹ but n/a if received DJ, DS, or SS ¹⁴⁰	No	No	No	Yes, \$125 ¹⁴¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ¹⁴² 180 days, ¹⁴³ see Notes	Yes ¹⁴⁴	No	Yes, consider denying state ¹⁴⁵ and federal benefits. ¹⁴⁶

Notes:

- ❖ DJ, DS, or SS Eligible:
 - when controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
 - if first violation of § [124.401](#)(1)(c) for delivery or possession w/ intent to deliver, court may suspend sentence and either:¹⁴⁷
 - order person to complete drug court program if drug court has been established in county in which the person is being sentenced, *or*

¹³¹ Iowa Code § [124.401](#)(1)(c).

¹³² Iowa Code § [902.9](#)(1)(d).

¹³³ Iowa Code § [902.9](#)(1)(d).

¹³⁴ See Iowa Code § [907.3](#).

¹³⁵ Iowa Code § [124.401](#)(1)(c).

¹³⁶ Iowa Code § [124.401](#)(1)(c).

¹³⁷ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³⁸ Iowa Code § [911.1](#)(1).

¹³⁹ Iowa Code § [911.2](#)(1).

¹⁴⁰ Iowa Code § [911.2](#)(2).

¹⁴¹ Iowa Code § [911.3](#)(1).

¹⁴² Iowa Code § [901.5](#)(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹⁴³ Iowa Code § [901.5](#)(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹⁴⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁴⁵ Iowa Code § [901.5](#)(12).

¹⁴⁶ Iowa Code § [901.5](#)(11).

¹⁴⁷ Iowa Code § [124.401](#)E(1).

- order person be assigned to a community-based correctional facility for one year or until maximum benefits are achieved, whichever is earlier
 - if violation of § [124.401](#)(1)(c) is for manufacturing, court may suspend sentence and either¹⁴⁸:
 - order person to complete drug court program if drug court has been established in county in which the person is being sentenced, *or*
 - order person be assigned to a community-based correctional facility for one year or until maximum benefits are achieved, whichever is earlier
 - if second or subsequent violation of § [124.401](#)(1)(c) for delivery or possession with intent to deliver:
 - court shall sentence person to imprisonment in accordance with § [124.401](#)(1),¹⁴⁹ *and*
 - ◆ Note: this is in addition to imposing any other authorized penalties¹⁵⁰
 - person shall serve minimum term of confinement as required by § [124.413](#)¹⁵¹
- ❖ License Revocation:
- if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed¹⁵²
- ❖ Additional Penalty:
- Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business¹⁵³

¹⁴⁸ Iowa Code § [124.401E](#)(2).

¹⁴⁹ Iowa Code § [124.401E](#)(3).

¹⁵⁰ Iowa Code § [124.401E](#)(3).

¹⁵¹ Iowa Code § [124.401E](#)(3).

¹⁵² Iowa Code § [901.5](#)(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹⁵³ Iowa Code § [124.412](#).

§ 124.401(1)(d)—50 kilos or less of marijuana or involving flunitrazepam

Class = “D” felony¹⁵⁴

❖ Exception: Accommodation offense¹⁵⁵

- If all of the following are true, person is guilty of an accommodation offense and must be sentenced as if convicted of violating § 124.401(5):
 - Prosecution is for unlawful delivery or possession with intent to deliver marijuana, *and*
 - Prosecution proved defendant violated § 124.401(1) by proving defendant delivered or possessed with intent to deliver 0.5 ounce or less of marijuana which was not offered for sale
- Notes:
 - “accommodation offense may be proved as an included offense under a charge of delivering or possessing with intent to deliver marijuana in violation of [§ 124.401(1)]”
 - “does not apply to hashish, hashish oil, or other derivatives of marijuana as defined in [§ 124.101(19)]”

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁵⁶	0 ¹⁵⁷	No, but see Drug Enhancements and General Enhancements	Yes ¹⁵⁸

Fines

Max	Min.	Can Suspend?
\$7500 ¹⁵⁹	\$750 ¹⁶⁰	Yes ¹⁶¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶²	Yes, \$10 ¹⁶³ but n/a if received DJ, DS, or SS ¹⁶⁴	No	No	No	Yes, \$125 ¹⁶⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ¹⁶⁶ 180 days, ¹⁶⁷ see Notes	Yes ¹⁶⁸	No	Yes, consider denying state ¹⁶⁹ and federal benefits. ¹⁷⁰

¹⁵⁴ Iowa Code § 124.401(1)(d).

¹⁵⁵ Iowa Code § 124.410.

¹⁵⁶ Iowa Code § 902.9(1)(e).

¹⁵⁷ Iowa Code § 902.9(1)(e).

¹⁵⁸ See Iowa Code § 907.3.

¹⁵⁹ Iowa Code § 902.9(1)(e).

¹⁶⁰ Iowa Code § 902.9(1)(e).

¹⁶¹ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁶² Iowa Code § 911.1(1).

¹⁶³ Iowa Code § 911.2(1).

¹⁶⁴ Iowa Code § 911.2(2).

¹⁶⁵ Iowa Code § 911.3(1).

¹⁶⁶ Iowa Code § 901.5(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹⁶⁷ Iowa Code § 901.5(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹⁶⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹⁶⁹ Iowa Code § 901.5(12).

¹⁷⁰ Iowa Code § 901.5(11).

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed¹⁷¹
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business¹⁷²

¹⁷¹ Iowa Code § [901.5\(10\)\(b\)](#); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹⁷² Iowa Code § [124.412](#).

§ 124.401(1)(d)—Substances in schedules IV and V

Class = aggravated misdemeanor¹⁷³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁷⁴	0 ¹⁷⁵	No, but see Drug Enhancements and General Enhancements	Yes ¹⁷⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁷⁷

Fines

Max	Min.	Can Suspend?
\$6250 ¹⁷⁸	\$625 ¹⁷⁹	Yes ¹⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸¹	Yes, \$10 ¹⁸² but n/a if received DJ, DS, or SS ¹⁸³	No	No	No	Yes, \$125 ¹⁸⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ¹⁸⁵ 180 days, ¹⁸⁶ see Notes	Yes ¹⁸⁷	No	Yes, consider denying state ¹⁸⁸ and federal benefits. ¹⁸⁹

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed¹⁹⁰
- ❖ Additional Penalty:
 - Business/Professional License:

¹⁷³ Iowa Code § 124.401(1)(d).

¹⁷⁴ Iowa Code § 903.1(2).

¹⁷⁵ Iowa Code § 903.1(2).

¹⁷⁶ See Iowa Code § 907.3.

¹⁷⁷ Iowa Code § 903.1(2).

¹⁷⁸ Iowa Code § 903.1(2).

¹⁷⁹ Iowa Code § 903.1(2).

¹⁸⁰ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁸¹ Iowa Code § 911.1(1).

¹⁸² Iowa Code § 911.2(1).

¹⁸³ Iowa Code § 911.2(2).

¹⁸⁴ Iowa Code § 911.3(1).

¹⁸⁵ Iowa Code § 901.5(10)(a)(1); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹⁸⁶ Iowa Code § 901.5(10)(a); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

¹⁸⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹⁸⁸ Iowa Code § 901.5(12).

¹⁸⁹ Iowa Code § 901.5(11).

¹⁹⁰ Iowa Code § 901.5(10)(b); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business¹⁹¹

¹⁹¹ Iowa Code § [124.412](#).

§ 124.401(3)—Ephedrine as precursor

Class = serious misdemeanor¹⁹²

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹³	0 ¹⁹⁴	N/A, but see Drug Enhancements	Yes ¹⁹⁵

Fines

Max	Min.	Can Suspend?
\$1875 ¹⁹⁶	\$315 ¹⁹⁷	No ¹⁹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁹	Yes, \$10 ²⁰⁰ but n/a if received DJ, DS, or SS ²⁰¹	No	No	No	Yes, \$125 ²⁰²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ²⁰³ 180 days, ²⁰⁴ see Notes	No	No	Yes, consider denying state ²⁰⁵ and federal benefits. ²⁰⁶

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed²⁰⁷
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business²⁰⁸

¹⁹² Iowa Code § [124.401](#)(3).

¹⁹³ Iowa Code § [903.1](#)(1)(b).

¹⁹⁴ Iowa Code § [903.1](#)(1)(b).

¹⁹⁵ See Iowa Code § [907.3](#).

¹⁹⁶ Iowa Code § [903.1](#)(1)(b).

¹⁹⁷ Iowa Code § [903.1](#)(1)(b).

¹⁹⁸ Iowa Code § [903.1](#)(1)(b).

¹⁹⁹ Iowa Code § [911.1](#)(1).

²⁰⁰ Iowa Code § [911.2](#)(1).

²⁰¹ Iowa Code § [911.2](#)(2).

²⁰² Iowa Code § [911.3](#)(1).

²⁰³ Iowa Code § [901.5](#)(10)(a)(1); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

²⁰⁴ Iowa Code § [901.5](#)(10)(a); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

²⁰⁵ Iowa Code § [901.5](#)(12).

²⁰⁶ Iowa Code § [901.5](#)(11).

²⁰⁷ Iowa Code § [901.5](#)(10)(b); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

²⁰⁸ Iowa Code § [124.412](#).

§ 124.401(4)—Possession with intent to manufacture

Class = “D” felony²⁰⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²¹⁰	0 ²¹¹	No, but see Drug Enhancements and General Enhancements	Yes ²¹²

Fines

Max	Min.	Can Suspend?
\$7500 ²¹³	\$750 ²¹⁴	Yes ²¹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁶	Yes, \$10 ²¹⁷ but n/a if received DJ, DS, or SS ²¹⁸	No	No	No	Yes, \$125 ²¹⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ²²⁰ 180 days, ²²¹ see Notes	Yes ²²²	No	Yes, consider denying state ²²³ and federal benefits. ²²⁴

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed²²⁵
- ❖ Additional Penalty:
 - Business/Professional License:

²⁰⁹ Iowa Code § [124.401](#)(4).

²¹⁰ Iowa Code § [902.9](#)(1)(e).

²¹¹ Iowa Code § [902.9](#)(1)(e).

²¹² See Iowa Code § [907.3](#).

²¹³ Iowa Code § [902.9](#)(1)(e).

²¹⁴ Iowa Code § [902.9](#)(1)(e).

²¹⁵ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²¹⁶ Iowa Code § [911.1](#)(1).

²¹⁷ Iowa Code § [911.2](#)(1).

²¹⁸ Iowa Code § [911.2](#)(2).

²¹⁹ Iowa Code § [911.3](#)(1).

²²⁰ Iowa Code § [901.5](#)(10)(a)(1); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

²²¹ Iowa Code § [901.5](#)(10)(a); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

²²² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²²³ Iowa Code § [901.5](#)(12).

²²⁴ Iowa Code § [901.5](#)(11).

²²⁵ Iowa Code § [901.5](#)(10)(b); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business²²⁶

²²⁶ Iowa Code § [124.412](#).

§ 124.401(5)—Unlawful possession

First Offense

Class = serious misdemeanor²²⁷

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
• If controlled substance is marijuana, 6 months ²²⁸	48 hours ²³⁰	N/A, but see Drug Enhancements	Yes, ²³¹ see Notes
• For all other controlled substances, 1 year ²²⁹			

Fines

Max	Min.	Can Suspend?
• if controlled substance if marijuana, \$1000 ²³²	• if controlled substance is marijuana, \$0 ²³⁴	Yes ²³⁶
• for all other controlled substances, \$1875 ²³³	• for all other controlled substances, \$315 ²³⁵	

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁷	Yes, \$10 ²³⁸ but n/a if received DJ, DS, or SS ²³⁹	No	No	No	Yes, \$125 ²⁴⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ²⁴¹ 180 days, ²⁴² see Notes	No	No	Yes, consider denying state ²⁴³ and federal benefits. ²⁴⁴

Notes:

❖ DJ, DS, or SS Eligible:

➤ all or any part of the sentence may be suspended,²⁴⁵ including the 48-hour minimum²⁴⁶

²²⁷ Iowa Code § 124.401(5), unnum. para. 1.

²²⁸ Iowa Code § 124.401(5), unnum. para. 2.

²²⁹ Iowa Code § 903.1(1)(b).

²³⁰ Iowa Code § 124.401(5), unnum. paras. 4, 5.

²³¹ See Iowa Code § 907.3.

²³² Iowa Code § 124.401(5), unnum. para. 2.

²³³ Iowa Code § 903.1(1)(b).

²³⁴ Iowa Code § 124.401(5), unnum. para. 2.

²³⁵ Iowa Code § 903.1(1)(b).

²³⁶ Iowa Code § 124.401(5), unnum. para. 3.

²³⁷ Iowa Code § 911.1(1).

²³⁸ Iowa Code § 911.2(1).

²³⁹ Iowa Code § 911.2(2).

²⁴⁰ Iowa Code § 911.3(1).

²⁴¹ Iowa Code § 901.5(10)(a)(1); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

²⁴² Iowa Code § 901.5(10)(a); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

²⁴³ Iowa Code § 901.5(12).

²⁴⁴ Iowa Code § 901.5(11).

²⁴⁵ Iowa Code § 124.401(5), unnum. para. 4.

²⁴⁶ Iowa Code § 124.401(5), unnum. para. 5.

- terms and conditions of probation shall include random drug testing and may include active participation in drug treatment, rehabilitation, or education program approved by the court²⁴⁷
- if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
 - may be placed on intensive probation²⁴⁸
 - terms and conditions of probation shall require submission to random drug testing²⁴⁹
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order²⁵⁰
- for all other controlled substances:
 - if not sentenced to confinement under custody of the director of the department of corrections, terms and conditions of probation shall require submission to random drug testing²⁵¹
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order²⁵²
- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed²⁵³
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business²⁵⁴

²⁴⁷ Iowa Code § [124.401](#)(5), unnum. para. 4–5.

²⁴⁸ Iowa Code § [124.401](#)(5), unnum. para. 5.

²⁴⁹ Iowa Code § [124.401](#)(5), unnum. para. 5.

²⁵⁰ Iowa Code § [124.401](#)(5), unnum. para. 5.

²⁵¹ Iowa Code § [124.401](#)(5), unnum. para. 5.

²⁵² Iowa Code § [124.401](#)(5), unnum. para. 4.

²⁵³ Iowa Code § [901.5](#)(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

²⁵⁴ Iowa Code § [124.412](#).

Violation of § 124.401(5) + 1 prior conviction under chapter 124, 124B, 453B, or chapter 124A as it existed prior to July 1, 2017.²⁵⁵

Class =

- ❖ if controlled substance is marijuana, serious misdemeanor²⁵⁶
- ❖ for all other controlled substances, aggravated misdemeanor²⁵⁷

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
<ul style="list-style-type: none"> • If controlled substance is marijuana and prior conviction was under § <u>124.401</u>(5) where controlled substance was marijuana, 1 year²⁵⁸ • For all others, 2 years²⁵⁹ <ul style="list-style-type: none"> ➢ If sentence of confinement is more than 1 year, sentence shall be for an indeterminate term²⁶⁰ 	48 hours ²⁶¹	<ul style="list-style-type: none"> • N/A if controlled substance is marijuana and prior conviction was under § <u>124.401</u>(5) where controlled substance was marijuana²⁶² • None for all others But see Drug Enhancements 	Yes, ²⁶³ see Notes

Fines

Max	Min.	Can Suspend?
<ul style="list-style-type: none"> • if controlled substance is marijuana and prior conviction was under § <u>124.401</u>(5) where controlled substance was marijuana, \$1875²⁶⁴ • for all others, \$6250²⁶⁵ 	<ul style="list-style-type: none"> • if controlled substance is marijuana and prior conviction was under § <u>124.401</u>(5) where controlled substance was marijuana, \$315²⁶⁶ • for all others, \$625²⁶⁷ 	Yes ²⁶⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁹	Yes, \$10 ²⁷⁰ but n/a if received DJ, DS, or SS ²⁷¹	No	No	No	Yes, \$125 ²⁷²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
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²⁵⁵ Iowa Code § 124.401(5), unnum. para. 1.

²⁵⁶ See Iowa Code § 124.401(5), unnum. para. 1.

²⁵⁷ Iowa Code § 124.401(5), unnum. para. 1.

²⁵⁸ Iowa Code § 124.401(5), unnum. para. 2 (citing § 903.1(1)(b)).

²⁵⁹ Iowa Code § 903.1(2).

²⁶⁰ Iowa Code § 903.1(2).

²⁶¹ Iowa Code § 124.401(5), unnum. paras. 4, 5.

²⁶² See Iowa Code § 124.401(5), unnum. para. 2 (citing § 903.1(1)(b)) (mandatory minimums before parole eligibility do not apply to serious misdemeanors).

²⁶³ See Iowa Code § 907.3.

²⁶⁴ Iowa Code § 124.401(5), unnum. para. 2 (citing § 903.1(1)(b)).

²⁶⁵ Iowa Code § 903.1(2).

²⁶⁶ Iowa Code § 124.401(5), unnum. para. 2 (citing § 903.1(1)(b)).

²⁶⁷ Iowa Code § 903.1(2).

²⁶⁸ Iowa Code § 124.401(5), unnum. para. 3.

²⁶⁹ Iowa Code § 911.1(1).

²⁷⁰ Iowa Code § 911.2(1).

²⁷¹ Iowa Code § 911.2(2).

²⁷² Iowa Code § 911.3(1).

Yes, ²⁷³ 180 days, ²⁷⁴ see Notes	<ul style="list-style-type: none"> • if controlled substance is marijuana and prior conviction was under § 124.401(5) where controlled substance was marijuana, No²⁷⁵ • for all others, Yes²⁷⁶ 	No	Yes, consider denying state ²⁷⁷ and federal benefits. ²⁷⁸
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Notes:

- ❖ DJ, DS, or SS Eligible:
 - all or any part of the sentence may be suspended,²⁷⁹ including the 48-hour minimum²⁸⁰
 - terms and conditions of probation shall include random drug testing and may include active participation in drug treatment, rehabilitation, or education program approved by the court²⁸¹
 - if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
 - may be placed on intensive probation²⁸²
 - terms and conditions of probation shall require submission to random drug testing²⁸³
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order²⁸⁴
 - for all other controlled substances:
 - if not sentenced to confinement under custody of the director of the department of corrections, terms and conditions of probation shall require submission to random drug testing²⁸⁵
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order²⁸⁶
- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed²⁸⁷
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business²⁸⁸

²⁷³ Iowa Code § [901.5](#)(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

²⁷⁴ Iowa Code § [901.5](#)(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

²⁷⁵ See Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a) (requiring only persons convicted of felonies and aggravated misdemeanors to submit a DNA sample); *see also id.* § [124.401](#)(5), unnum. para. 2 (citing § [903.1](#)(1)(b)) (punishing a violation involving marijuana where the prior conviction was under § [124.401](#)(5) and also involved marijuana as a serious misdemeanor).

²⁷⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁷⁷ Iowa Code § [901.5](#)(12).

²⁷⁸ Iowa Code § [901.5](#)(11).

²⁷⁹ Iowa Code § [124.401](#)(5), unnum. para. 4.

²⁸⁰ Iowa Code § [124.401](#)(5), unnum. para. 5.

²⁸¹ Iowa Code § [124.401](#)(5), unnum. para. 4–5.

²⁸² Iowa Code § [124.401](#)(5), unnum. para. 5.

²⁸³ Iowa Code § [124.401](#)(5), unnum. para. 5.

²⁸⁴ Iowa Code § [124.401](#)(5), unnum. para. 5.

²⁸⁵ Iowa Code § [124.401](#)(5), unnum. para. 4.

²⁸⁶ Iowa Code § [124.401](#)(5), unnum. para. 4.

²⁸⁷ Iowa Code § [901.5](#)(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

²⁸⁸ Iowa Code § [124.412](#).

Violation of § [124.401\(5\)](#) + 2 or more prior convictions under chapter 124, [124B](#), [453B](#), or chapter 124A as it existed prior to July 1, 2017.²⁸⁹

Class =

- ❖ if controlled substance is marijuana and the 2 or more prior convictions were under § [124.401\(5\)](#) where the controlled substance was marijuana, aggravated misdemeanor²⁹⁰
- ❖ for all others, “D” felony²⁹¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
<ul style="list-style-type: none"> • If controlled substance is marijuana and prior conviction was under § 124.401(5) where controlled substance was marijuana, 2 years²⁹² <ul style="list-style-type: none"> ➢ If sentence of confinement is more than 1 year, sentence shall be for an indeterminate term²⁹³ • For all others, 5 years²⁹⁴ 	48 hours ²⁹⁵	No, but see Drug Enhancements and General Enhancements	Yes, ²⁹⁶ see Notes

Fines

Max	Min.	Can Suspend?
<ul style="list-style-type: none"> • if controlled substance is marijuana and prior convictions were under § 124.401(5) when controlled substance was marijuana, \$6250²⁹⁷ • for all others, \$750²⁹⁸ 	<ul style="list-style-type: none"> • if controlled substance is marijuana and prior convictions were under § 124.401(5) when controlled substance was marijuana, \$625²⁹⁹ • for all others, \$750³⁰⁰ 	Yes ³⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰²	Yes, \$10 ³⁰³ but n/a if received DJ, DS, or SS ³⁰⁴	No	No	No	Yes, \$125 ³⁰⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
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²⁸⁹ Iowa Code § [124.401\(5\)](#), unnum. para. 1.

²⁹⁰ Iowa Code § [124.401\(5\)](#), unnum. para. 2.

²⁹¹ Iowa Code § [124.401\(5\)](#), unnum. para. 1.

²⁹² Iowa Code § [903.1\(2\)](#).

²⁹³ Iowa Code § [903.1\(2\)](#).

²⁹⁴ Iowa Code § [902.9\(1\)\(e\)](#).

²⁹⁵ Iowa Code § [124.401\(5\)](#), unnum. paras. 4, 5.

²⁹⁶ See Iowa Code § [907.3](#).

²⁹⁷ Iowa Code § [903.1\(2\)](#).

²⁹⁸ Iowa Code § [902.9\(1\)\(e\)](#).

²⁹⁹ Iowa Code § [903.1\(2\)](#).

³⁰⁰ Iowa Code § [902.9\(1\)\(e\)](#).

³⁰¹ Iowa Code § [124.401\(5\)](#), unnum. para. 4.

³⁰² Iowa Code § [911.1\(1\)](#).

³⁰³ Iowa Code § [911.2\(1\)](#).

³⁰⁴ Iowa Code § [911.2\(2\)](#).

³⁰⁵ Iowa Code § [911.3\(1\)](#).

Yes, ³⁰⁶ 180 days, ³⁰⁷ see Notes	Yes ³⁰⁸	No	Yes, consider denying state ³⁰⁹ and federal benefits. ³¹⁰
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Notes:

- ❖ DJ, DS, or SS Eligible:
 - all or any part of the sentence may be suspended,³¹¹ including the 48-hour minimum³¹²
 - terms and conditions of probation shall include random drug testing and may include active participation in drug treatment, rehabilitation, or education program approved by the court³¹³
 - if controlled substance is amphetamine, methamphetamine, or any of their salts, isomers, or salts of their isomers:
 - may be placed on intensive probation³¹⁴
 - terms and conditions of probation shall require submission to random drug testing³¹⁵
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order³¹⁶
 - for all other controlled substances:
 - if not sentenced to confinement under custody of the director of the department of corrections, terms and conditions of probation shall require submission to random drug testing³¹⁷
 - if fails drug test, court may transfer placement to any appropriate placement permissible under court order³¹⁸
- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed³¹⁹
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business³²⁰

³⁰⁶ Iowa Code § [901.5\(10\)\(a\)\(1\)](#); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

³⁰⁷ Iowa Code § [901.5\(10\)\(a\)](#); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

³⁰⁸ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

³⁰⁹ Iowa Code § [901.5\(12\)](#).

³¹⁰ Iowa Code § [901.5\(11\)](#).

³¹¹ Iowa Code § [124.401\(5\)](#), unnum. para. 4.

³¹² Iowa Code § [124.401\(5\)](#), unnum. para. 5.

³¹³ Iowa Code § [124.401\(5\)](#), unnum. para. 4–5.

³¹⁴ Iowa Code § [124.401\(5\)](#), unnum. para. 5.

³¹⁵ Iowa Code § [124.401\(5\)](#), unnum. para. 5.

³¹⁶ Iowa Code § [124.401\(5\)](#), unnum. para. 5.

³¹⁷ Iowa Code § [124.401\(5\)](#), unnum. para. 4.

³¹⁸ Iowa Code § [124.401\(5\)](#), unnum. para. 4.

³¹⁹ Iowa Code § [901.5\(10\)\(b\)](#); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

³²⁰ Iowa Code § [124.412](#).

§ 124.401D—Conspiracy to Manufacture for Delivery or Delivery or Intent or Conspiracy to Deliver Amphetamine or Methamphetamine to a Minor

§ 124.401D(1)—Conspiracy to deliver to person under 18 years old

§ 124.401D(1)(b)—First offense

Class = felony punishable under § 902.9(1)(a)³²¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
99 years, ³²² see Notes	0 ³²³	Not eligible until has served minimum term of confinement of 10 years, ³²⁴ see also Drug Enhancements and General Enhancements	Yes ³²⁵

Fines

Max	Min.	Can Suspend?
0 ³²⁶	0 ³²⁷	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³²⁸ but n/a if received DJ, DS, or SS ³²⁹	No	No	No	Yes, \$125 ³³⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³¹	No	Yes, consider denying state ³³² and federal benefits. ³³³

Notes:

❖ Max. Prison/Jail Time:

- sentencing court has discretion to sentence person to a term less than the maximum 99 years³³⁴
 - can reduce term by up to one-third (i.e., 1/3 of 99 years → reduce by up to 33 years),³³⁵ if:
 - mitigating circumstances exist and those circumstances are specifically stated in the record,³³⁶ and
 - person pleads guilty³³⁷
 - may further reduce max. term if:

³²¹ Iowa Code § [124.401D\(1\)\(b\)](#).

³²² Iowa Code § [902.9\(1\)\(a\)](#).

³²³ Iowa Code § [902.9\(1\)\(a\)](#).

³²⁴ Iowa Code § [902.8A](#).

³²⁵ See Iowa Code § [907.3](#).

³²⁶ See Iowa Code § [902.9\(1\)\(a\)](#).

³²⁷ See Iowa Code § [902.9\(1\)\(a\)](#).

³²⁸ Iowa Code § [911.2\(1\)](#).

³²⁹ Iowa Code § [911.2\(2\)](#).

³³⁰ Iowa Code § [911.3\(1\)](#).

³³¹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

³³² Iowa Code § [901.5\(12\)](#).

³³³ Iowa Code § [901.5\(11\)](#).

³³⁴ Iowa Code § [901.10\(3\)](#).

³³⁵ Iowa Code § [901.10\(3\)](#).

³³⁶ Iowa Code § [901.10\(3\)](#).

³³⁷ Iowa Code § [901.10\(3\)](#).

- person cooperates in prosecution of other persons involved in the sale or use of controlled substances,³³⁸ *and*
- prosecutor requests additional reduction in person's sentence because of such cooperation³³⁹

❖ Additional Penalty:

➤ Business/Professional License:

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business³⁴⁰

³³⁸ Iowa Code § [901.10](#)(3).

³³⁹ Iowa Code § [901.10](#)(3).

³⁴⁰ Iowa Code § [124.412](#).

§ 124.401D(1)(c)—Second or subsequent offense

Class = “A” felony³⁴¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, ³⁴² but see Under 18 Sentencing	Life, ³⁴³ but see Under 18 Sentencing	Not eligible, ³⁴⁴ but see Under 18 Sentencing	No, ³⁴⁵ but see Under 18 Sentencing

Fines

Max	Min.	Can Suspend?
0 ³⁴⁶	0 ³⁴⁷	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³⁴⁸ but n/a if received DJ, DS, or SS ³⁴⁹	No	No	No	Yes, \$125 ³⁵⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵¹	No	Yes, consider denying state ³⁵² and federal benefits. ³⁵³

Notes:

- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business³⁵⁴

³⁴¹ Iowa Code § [124.401D\(1\)\(c\)](#).

³⁴² Iowa Code § [902.1\(1\)](#).

³⁴³ Iowa Code § [902.1\(1\)](#).

³⁴⁴ Iowa Code § [902.1\(1\)](#).

³⁴⁵ Iowa Code § [902.1\(1\)](#).

³⁴⁶ See Iowa Code § [902.9\(1\)\(a\)](#).

³⁴⁷ See Iowa Code § [902.9\(1\)\(a\)](#).

³⁴⁸ Iowa Code § [911.2\(1\)](#).

³⁴⁹ Iowa Code § [911.2\(2\)](#).

³⁵⁰ Iowa Code § [911.3\(1\)](#).

³⁵¹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

³⁵² Iowa Code § [901.5\(12\)](#).

³⁵³ Iowa Code § [901.5\(11\)](#).

³⁵⁴ Iowa Code § [124.412](#).

§ 124.401D(2)—Deliver or possession with intent to deliver to person under 18 years old

§ 124.401D(2)(b)—First offense

Class = felony punishable under § 902.9(1)(a)³⁵⁵

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
99 years, ³⁵⁶ see Notes	0 ³⁵⁷	Not eligible until has served minimum term of confinement of 10 years, ³⁵⁸ see also Drug Enhancements and General Enhancements	Yes ³⁵⁹

Fines

Max	Min.	Can Suspend?
0 ³⁶⁰	0 ³⁶¹	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³⁶² but n/a if received DJ, DS, or SS ³⁶³	No	No	No	Yes, \$125 ³⁶⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁵	No	Yes, consider denying state ³⁶⁶ and federal benefits. ³⁶⁷

Notes:

❖ Max. Prison/Jail Time:

- sentencing court has discretion to sentence person to a term less than the maximum 99 years³⁶⁸
 - can reduce term by up to one-third (i.e., 1/3 of 99 years → reduce by up to 33 years),³⁶⁹ if:
 - mitigating circumstances exist and those circumstances are specifically stated in the record,³⁷⁰ and
 - person pleads guilty³⁷¹
 - may further reduce max. term if:

³⁵⁵ Iowa Code § [124.401D\(2\)\(b\)](#).

³⁵⁶ Iowa Code § [902.9\(1\)\(a\)](#).

³⁵⁷ Iowa Code § [902.9\(1\)\(a\)](#).

³⁵⁸ Iowa Code § [902.8A](#).

³⁵⁹ See Iowa Code § [907.3](#).

³⁶⁰ See Iowa Code § [902.9\(1\)\(a\)](#).

³⁶¹ See Iowa Code § [902.9\(1\)\(a\)](#).

³⁶² Iowa Code § [911.2\(1\)](#).

³⁶³ Iowa Code § [911.2\(2\)](#).

³⁶⁴ Iowa Code § [911.3\(1\)](#).

³⁶⁵ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

³⁶⁶ Iowa Code § [901.5\(12\)](#).

³⁶⁷ Iowa Code § [901.5\(11\)](#).

³⁶⁸ Iowa Code § [901.10\(3\)](#).

³⁶⁹ Iowa Code § [901.10\(3\)](#).

³⁷⁰ Iowa Code § [901.10\(3\)](#).

³⁷¹ Iowa Code § [901.10\(3\)](#).

- person cooperates in prosecution of other persons involved in the sale or use of controlled substances,³⁷² *and*
 - prosecutor requests additional reduction in person's sentence because of such cooperation³⁷³
- ❖ Additional Penalty:
- Business/Professional License:
- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business³⁷⁴

³⁷² Iowa Code § [901.10](#)(3).

³⁷³ Iowa Code § [901.10](#)(3).

³⁷⁴ Iowa Code § [124.412](#).

§ 124.401D(2)(c)—Second or subsequent offense

Class = “A” felony³⁷⁵

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, ³⁷⁶ but see Under 18 Sentencing	Life, ³⁷⁷ but see Under 18 Sentencing	Not eligible but see Under 18 Sentencing	No, ³⁷⁸ but see Under 18 Sentencing

Fines

Max	Min.	Can Suspend?
0 ³⁷⁹	0 ³⁸⁰	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ³⁸¹ but n/a if received DJ, DS, or SS ³⁸²	No	No	No	Yes, \$125 ³⁸³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁴	No	Yes, consider denying state ³⁸⁵ and federal benefits. ³⁸⁶

Notes:

- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business³⁸⁷

³⁷⁵ Iowa Code § [124.401D\(2\)\(c\)](#).

³⁷⁶ Iowa Code § [902.1\(1\)](#).

³⁷⁷ Iowa Code § [902.1\(1\)](#).

³⁷⁸ Iowa Code § [902.1\(1\)](#).

³⁷⁹ See Iowa Code § [902.9\(1\)\(a\)](#).

³⁸⁰ See Iowa Code § [902.9\(1\)\(a\)](#).

³⁸¹ Iowa Code § [911.2\(1\)](#).

³⁸² Iowa Code § [911.2\(2\)](#).

³⁸³ Iowa Code § [911.3\(1\)](#).

³⁸⁴ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

³⁸⁵ Iowa Code § [901.5\(12\)](#).

³⁸⁶ Iowa Code § [901.5\(11\)](#).

³⁸⁷ Iowa Code § [124.412](#).

§ 124.401F—Possessing, Tampering with, or Transporting Anhydrous Ammonia or Equipment

Class = serious misdemeanor³⁸⁸

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸⁹	0 ³⁹⁰	N/A, but see Drug Enhancements	Yes ³⁹¹

Fines

Max	Min.	Can Suspend?
\$1875 ³⁹²	\$315 ³⁹³	No ³⁹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁵	Yes, \$10 ³⁹⁶ but n/a if received DJ, DS, or SS ³⁹⁷	No	No	No	Yes, \$125 ³⁹⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state ³⁹⁹ and federal benefits. ⁴⁰⁰

Notes:

- ❖ Additional Penalties:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁴⁰¹
 - Additional Civil Penalty:
 - May be subject to additional civil penalty of up to \$1500⁴⁰² if person either:
 - "Intentionally tampers with anhydrous ammonia equipment,"⁴⁰³ and/or
 - "Possesses or transports anhydrous ammonia in a container or receptacle which is not authorized to hold anhydrous ammonia according to rules adopted by the secretary of agriculture"⁴⁰⁴

³⁸⁸ Iowa Code § [124.401F\(2\)](#).

³⁸⁹ Iowa Code § [903.1\(1\)\(b\)](#).

³⁹⁰ Iowa Code § [903.1\(1\)\(b\)](#).

³⁹¹ See Iowa Code § [907.3](#).

³⁹² Iowa Code § [903.1\(1\)\(b\)](#).

³⁹³ Iowa Code § [903.1\(1\)\(b\)](#).

³⁹⁴ Iowa Code § [903.1\(1\)\(b\)](#).

³⁹⁵ Iowa Code § [911.1\(1\)](#).

³⁹⁶ Iowa Code § [911.2\(1\)](#).

³⁹⁷ Iowa Code § [911.2\(2\)](#).

³⁹⁸ Iowa Code § [911.3\(1\)](#).

³⁹⁹ Iowa Code § [901.5\(12\)](#).

⁴⁰⁰ Iowa Code § [901.5\(11\)](#).

⁴⁰¹ Iowa Code § [124.412](#).

⁴⁰² Iowa Code § [124.401F\(2\)](#).

⁴⁰³ Iowa Code § [124.401F\(2\)\(a\)](#).

⁴⁰⁴ Iowa Code § [124.401F\(2\)\(b\)](#).

§ 124.402—Prohibited Acts by Distributors, Registrants, and Proprietors

§ 124.402(1)(a)—Violation of § 124.308

Class = aggravated misdemeanor⁴⁰⁵

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁰⁶	0 ⁴⁰⁷	No, but see Drug Enhancements	Yes ⁴⁰⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁰⁹

Fines

Max	Min.	Can Suspend?
\$6250 ⁴¹⁰	\$625 ⁴¹¹	Yes ⁴¹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹³	Yes, \$10 ⁴¹⁴ but n/a if received DJ, DS, or SS ⁴¹⁵	No	No	No	Yes, \$125 ⁴¹⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴¹⁷ 180 days, ⁴¹⁸ see Notes	Yes ⁴¹⁹	No	Yes, consider denying state ⁴²⁰ and federal benefits. ⁴²¹

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁴²²
- ❖ Additional Penalty:
 - Business/Professional License:

⁴⁰⁵ Iowa Code § [124.402](#)(2)(a).

⁴⁰⁶ Iowa Code § [903.1](#)(2).

⁴⁰⁷ Iowa Code § [903.1](#)(2).

⁴⁰⁸ See Iowa Code § [907.3](#).

⁴⁰⁹ Iowa Code § [903.1](#)(2).

⁴¹⁰ Iowa Code § [903.1](#)(2).

⁴¹¹ Iowa Code § [903.1](#)(2).

⁴¹² See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹³ Iowa Code § [911.1](#)(1).

⁴¹⁴ Iowa Code § [911.2](#)(1).

⁴¹⁵ Iowa Code § [911.2](#)(2).

⁴¹⁶ Iowa Code § [911.3](#)(1).

⁴¹⁷ Iowa Code § [901.5](#)(10)(a)(1); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁴¹⁸ Iowa Code § [901.5](#)(10)(a); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁴¹⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁴²⁰ Iowa Code § [901.5](#)(12).

⁴²¹ Iowa Code § [901.5](#)(11).

⁴²² Iowa Code § [901.5](#)(10)(b); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁴²³

⁴²³ Iowa Code § [124.412](#).

§ 124.402(1)(b)—Manufacture, distribution, or disbursement unauthorized by registration

Class = aggravated misdemeanor⁴²⁴

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²⁵	0 ⁴²⁶	No, but see Drug Enhancements	Yes ⁴²⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴²⁸

Fines

Max	Min.	Can Suspend?
\$6250 ⁴²⁹	\$625 ⁴³⁰	Yes ⁴³¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³²	Yes, \$10 ⁴³³ but n/a if received DJ, DS, or SS ⁴³⁴	No	No	No	Yes, \$125 ⁴³⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴³⁶ 180 days, ⁴³⁷ see Notes	Yes ⁴³⁸	No	Yes, consider denying state ⁴³⁹ and federal benefits. ⁴⁴⁰

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁴⁴¹
- ❖ Additional Penalty:
 - Business/Professional License:

⁴²⁴ Iowa Code § [124.402](#)(2)(a).

⁴²⁵ Iowa Code § [903.1](#)(2).

⁴²⁶ Iowa Code § [903.1](#)(2).

⁴²⁷ See Iowa Code § [907.3](#).

⁴²⁸ Iowa Code § [903.1](#)(2).

⁴²⁹ Iowa Code § [903.1](#)(2).

⁴³⁰ Iowa Code § [903.1](#)(2).

⁴³¹ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³² Iowa Code § [911.1](#)(1).

⁴³³ Iowa Code § [911.2](#)(1).

⁴³⁴ Iowa Code § [911.2](#)(2).

⁴³⁵ Iowa Code § [911.3](#)(1).

⁴³⁶ Iowa Code § [901.5](#)(10)(a)(1); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁴³⁷ Iowa Code § [901.5](#)(10)(a); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁴³⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁴³⁹ Iowa Code § [901.5](#)(12).

⁴⁴⁰ Iowa Code § [901.5](#)(11).

⁴⁴¹ Iowa Code § [901.5](#)(10)(b); *but see* 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁴⁴²

⁴⁴² Iowa Code § [124.412](#).

§ 124.402(1)(c)—Records refusal or failure

Class = serious misdemeanor⁴⁴³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁴⁴	0 ⁴⁴⁵	N/A, but see Drug Enhancements	Yes ⁴⁴⁶

Fines

Max	Min.	Can Suspend?
\$1875 ⁴⁴⁷	\$315 ⁴⁴⁸	No ⁴⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁰	Yes, \$10 ⁴⁵¹ but n/a if received DJ, DS, or SS ⁴⁵²	No	No	No	Yes, \$125 ⁴⁵³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴⁵⁴ 180 days, ⁴⁵⁵ see Notes	No	No	Yes, consider denying state ⁴⁵⁶ and federal benefits. ⁴⁵⁷

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁴⁵⁸
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁴⁵⁹

⁴⁴³ Iowa Code § [124.402](#)(2)(b).

⁴⁴⁴ Iowa Code § [903.1](#)(1)(b).

⁴⁴⁵ Iowa Code § [903.1](#)(1)(b).

⁴⁴⁶ See Iowa Code § [907.3](#).

⁴⁴⁷ Iowa Code § [903.1](#)(1)(b).

⁴⁴⁸ Iowa Code § [903.1](#)(1)(b).

⁴⁴⁹ Iowa Code § [903.1](#)(1)(b).

⁴⁵⁰ Iowa Code § [911.1](#)(1).

⁴⁵¹ Iowa Code § [911.2](#)(1).

⁴⁵² Iowa Code § [911.2](#)(2).

⁴⁵³ Iowa Code § [911.3](#)(1).

⁴⁵⁴ Iowa Code § [901.5](#)(10)(a)(1); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁴⁵⁵ Iowa Code § [901.5](#)(10)(a); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁴⁵⁶ Iowa Code § [901.5](#)(12).

⁴⁵⁷ Iowa Code § [901.5](#)(11).

⁴⁵⁸ Iowa Code § [901.5](#)(10)(b); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁴⁵⁹ Iowa Code § [124.412](#).

§ 124.402(1)(d)—Refuse inspection

Class = aggravated misdemeanor⁴⁶⁰

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁶¹	0 ⁴⁶²	No, but see Drug Enhancements	Yes ⁴⁶³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁶⁴

Fines

Max	Min.	Can Suspend?
\$6250 ⁴⁶⁵	\$625 ⁴⁶⁶	Yes ⁴⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁸	Yes, \$10 ⁴⁶⁹ but n/a if received DJ, DS, or SS ⁴⁷⁰	No	No	No	Yes, \$125 ⁴⁷¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴⁷² 180 days, ⁴⁷³ see Notes	Yes ⁴⁷⁴	No	Yes, consider denying state ⁴⁷⁵ and federal benefits. ⁴⁷⁶

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁴⁷⁷
- ❖ Additional Penalty:
 - Business/Professional License:

⁴⁶⁰ Iowa Code § [124.402](#)(2)(a).

⁴⁶¹ Iowa Code § [903.1](#)(2).

⁴⁶² Iowa Code § [903.1](#)(2).

⁴⁶³ See Iowa Code § [907.3](#).

⁴⁶⁴ Iowa Code § [903.1](#)(2).

⁴⁶⁵ Iowa Code § [903.1](#)(2).

⁴⁶⁶ Iowa Code § [903.1](#)(2).

⁴⁶⁷ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁸ Iowa Code § [911.1](#)(1).

⁴⁶⁹ Iowa Code § [911.2](#)(1).

⁴⁷⁰ Iowa Code § [911.2](#)(2).

⁴⁷¹ Iowa Code § [911.3](#)(1).

⁴⁷² Iowa Code § [901.5](#)(10)(a)(1); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁴⁷³ Iowa Code § [901.5](#)(10)(a); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁴⁷⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁴⁷⁵ Iowa Code § [901.5](#)(12).

⁴⁷⁶ Iowa Code § [901.5](#)(11).

⁴⁷⁷ Iowa Code § [901.5](#)(10)(b); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁴⁷⁸

⁴⁷⁸ Iowa Code § [124.412](#).

§ 124.402(1)(e)—Wrongful storage

Class = aggravated misdemeanor⁴⁷⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁸⁰	0 ⁴⁸¹	No, but see Drug Enhancements	Yes ⁴⁸²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁸³

Fines

Max	Min.	Can Suspend?
\$6250 ⁴⁸⁴	\$625 ⁴⁸⁵	Yes ⁴⁸⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁷	Yes, \$10 ⁴⁸⁸ but n/a if received DJ, DS, or SS ⁴⁸⁹	No	No	No	Yes, \$125 ⁴⁹⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁴⁹¹ 180 days, ⁴⁹² see Notes	Yes ⁴⁹³	No	Yes, consider denying state ⁴⁹⁴ and federal benefits. ⁴⁹⁵

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁴⁹⁶
- ❖ Additional Penalty:
 - Business/Professional License:

⁴⁷⁹ Iowa Code § [124.402](#)(2)(a).

⁴⁸⁰ Iowa Code § [903.1](#)(2).

⁴⁸¹ Iowa Code § [903.1](#)(2).

⁴⁸² See Iowa Code § [907.3](#).

⁴⁸³ Iowa Code § [903.1](#)(2).

⁴⁸⁴ Iowa Code § [903.1](#)(2).

⁴⁸⁵ Iowa Code § [903.1](#)(2).

⁴⁸⁶ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁷ Iowa Code § [911.1](#)(1).

⁴⁸⁸ Iowa Code § [911.2](#)(1).

⁴⁸⁹ Iowa Code § [911.2](#)(2).

⁴⁹⁰ Iowa Code § [911.3](#)(1).

⁴⁹¹ Iowa Code § [901.5](#)(10)(a)(1); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁴⁹² Iowa Code § [901.5](#)(10)(a); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁴⁹³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁴⁹⁴ Iowa Code § [901.5](#)(12).

⁴⁹⁵ Iowa Code § [901.5](#)(11).

⁴⁹⁶ Iowa Code § [901.5](#)(10)(b); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁴⁹⁷

⁴⁹⁷ Iowa Code § [124.412](#).

§ 124.403—Miscellaneous Prohibited Acts

Class = serious misdemeanor⁴⁹⁸

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁹⁹	0 ⁵⁰⁰	N/A, but see Drug Enhancements	Yes ⁵⁰¹

Fines

Max	Min.	Can Suspend?
\$1875 ⁵⁰²	\$315 ⁵⁰³	No ⁵⁰⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁵	Yes, \$10 ⁵⁰⁶ but n/a if received DJ, DS, or SS ⁵⁰⁷	No	No	No	Yes, \$125 ⁵⁰⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, ⁵⁰⁹ 180 days, ⁵¹⁰ see Notes	No	No	Yes, consider denying state ⁵¹¹ and federal benefits. ⁵¹²

Notes:

- ❖ License Revocation:
 - if operating privileges are suspended or revoked at time of sentencing, 180-day period does not begin until all other operating suspensions and revocations have been completed⁵¹³
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating [ch. 124](#), court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁵¹⁴

⁴⁹⁸ Iowa Code § [124.403](#)(2).

⁴⁹⁹ Iowa Code § [903.1](#)(1)(b).

⁵⁰⁰ Iowa Code § [903.1](#)(1)(b).

⁵⁰¹ See Iowa Code § [907.3](#).

⁵⁰² Iowa Code § [903.1](#)(1)(b).

⁵⁰³ Iowa Code § [903.1](#)(1)(b).

⁵⁰⁴ Iowa Code § [903.1](#)(1)(b).

⁵⁰⁵ Iowa Code § [911.1](#)(1).

⁵⁰⁶ Iowa Code § [911.2](#)(1).

⁵⁰⁷ Iowa Code § [911.2](#)(2).

⁵⁰⁸ Iowa Code § [911.3](#)(1).

⁵⁰⁹ Iowa Code § [901.5](#)(10)(a)(1); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁵¹⁰ Iowa Code § [901.5](#)(10)(a); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁵¹¹ Iowa Code § [901.5](#)(12).

⁵¹² Iowa Code § [901.5](#)(11).

⁵¹³ Iowa Code § [901.5](#)(10)(b); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁵¹⁴ Iowa Code § [124.412](#).

§ 124.406—Distribution to Person Under Age 18

§ 124.406(1)—Distribution or possession w/ intent to distribute schedule I, II, or III substance

§ 124.406(1)(a)—Distribution or possession w/ intent to distribute schedule I or II to person under age 18

Class = “B” felony⁵¹⁵

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years, ⁵¹⁶ see Notes	<ul style="list-style-type: none"> If distributed in, on, or within 1000 feet of certain real property, not eligible until served 10 years⁵¹⁹ For all others, not eligible until served 5 years⁵²⁰ But see Under 18 Sentencing See also Drug Enhancements and General Enhancements 	<ul style="list-style-type: none"> If distributed in, on, or within 1000 feet of certain real property, not eligible until served 10 years⁵¹⁹ For all others, not eligible until served 5 years⁵²⁰ But see Under 18 Sentencing See also Drug Enhancements and General Enhancements 	Yes ⁵²¹

Fines

Max	Min.	Can Suspend?
0 ⁵²²	0 ⁵²³	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ⁵²⁴ but n/a if received DJ, DS, or SS ⁵²⁵	No	No	No	Yes, \$125 ⁵²⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵²⁷	No	Yes, consider denying state ⁵²⁸ and federal benefits. ⁵²⁹

Notes:

❖ Max. Jail/Prison Time:

- sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply⁵³⁰:
 - violation is first conviction under § [124.406](#)

⁵¹⁵ Iowa Code § [124.406\(1\)\(a\)](#).

⁵¹⁶ Iowa Code § [902.9\(1\)\(b\)](#).

⁵¹⁷ Iowa Code § [124.406\(1\)\(a\)](#).

⁵¹⁸ Iowa Code § [124.406\(1\)\(a\)](#).

⁵¹⁹ See Iowa Code § [124.406\(1\)\(a\)](#).

⁵²⁰ See Iowa Code § [124.406\(1\)\(a\)](#).

⁵²¹ See Iowa Code § [907.3](#).

⁵²² See Iowa Code § [902.9\(1\)\(b\)](#).

⁵²³ See Iowa Code § [902.9\(1\)\(b\)](#).

⁵²⁴ Iowa Code § [911.2\(1\)](#).

⁵²⁵ Iowa Code § [911.2\(2\)](#).

⁵²⁶ Iowa Code § [911.3\(1\)](#).

⁵²⁷ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

⁵²⁸ Iowa Code § [901.5\(12\)](#).

⁵²⁹ Iowa Code § [901.5\(11\)](#).

⁵³⁰ Iowa Code § [901.10\(1\)](#).

- mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ Additional Penalty:
- Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁵³¹

⁵³¹ Iowa Code § [124.412](#).

§ 124.406(1)(b)—Distribution or possession with intent to distribute schedule III to person who is under age 18 and at least 3 years younger than violator

Class = “C” felony⁵³²

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁵³³	0 ⁵³⁴	No, but see Drug Enhancements and General Enhancements	Yes ⁵³⁵

Fines

Max	Min.	Can Suspend?
\$10,000 ⁵³⁶	\$1000 ⁵³⁷	Yes ⁵³⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵³⁹	Yes, \$10 ⁵⁴⁰ but n/a if received DJ, DS, or SS ⁵⁴¹	No	No	No	Yes, \$125 ⁵⁴²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁴³	No	Yes, consider denying state ⁵⁴⁴ and federal benefits. ⁵⁴⁵

Notes:

- ❖ Max. Jail/Prison Time:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply⁵⁴⁶:
 - violation is first conviction under § [124.406](#)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business⁵⁴⁷

⁵³² Iowa Code § [124.406\(1\)\(b\)](#).

⁵³³ Iowa Code § [902.9\(1\)\(d\)](#).

⁵³⁴ Iowa Code § [902.9\(1\)\(d\)](#).

⁵³⁵ See Iowa Code § [907.3](#).

⁵³⁶ Iowa Code § [902.9\(1\)\(d\)](#).

⁵³⁷ Iowa Code § [902.9\(1\)\(d\)](#).

⁵³⁸ See Iowa Code § [902.9\(1\)\(d\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵³⁹ Iowa Code § [911.1\(1\)](#).

⁵⁴⁰ Iowa Code § [911.2\(1\)](#).

⁵⁴¹ Iowa Code § [911.2\(2\)](#).

⁵⁴² Iowa Code § [911.3\(1\)](#).

⁵⁴³ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

⁵⁴⁴ Iowa Code § [901.5\(12\)](#).

⁵⁴⁵ Iowa Code § [901.5\(11\)](#).

⁵⁴⁶ Iowa Code § [901.10\(1\)](#).

⁵⁴⁷ Iowa Code § [124.412](#).

§ 124.406(1)(c)—Distribution schedule IV or V to person who is under age 18 and at least 3 years younger than violator

Class = aggravated misdemeanor⁵⁴⁸

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁴⁹	0 ⁵⁵⁰	No, but see Drug Enhancements	Yes ⁵⁵¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁵²

Fines

Max	Min.	Can Suspend?
\$6250 ⁵⁵³	\$625 ⁵⁵⁴	Yes ⁵⁵⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁵⁶	Yes, \$10 ⁵⁵⁷ but n/a if received DJ, DS, or SS ⁵⁵⁸	No	No	No	Yes, \$125 ⁵⁵⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁶⁰	No	Yes, consider denying state ⁵⁶¹ and federal benefits. ⁵⁶²

Notes:

- ❖ Max. Jail/Prison Time:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁵⁶³
 - violation is first conviction under § [124.406](#)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating [ch. 124](#), court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁵⁶⁴

⁵⁴⁸ Iowa Code § [124.406\(1\)\(c\)](#).

⁵⁴⁹ Iowa Code § [903.1\(2\)](#).

⁵⁵⁰ Iowa Code § [903.1\(2\)](#).

⁵⁵¹ See Iowa Code § [907.3](#).

⁵⁵² Iowa Code § [903.1\(2\)](#).

⁵⁵³ Iowa Code § [903.1\(2\)](#).

⁵⁵⁴ Iowa Code § [903.1\(2\)](#).

⁵⁵⁵ See Iowa Code § [903.1\(2\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁵⁶ Iowa Code § [911.1\(1\)](#).

⁵⁵⁷ Iowa Code § [911.2\(1\)](#).

⁵⁵⁸ Iowa Code § [911.2\(2\)](#).

⁵⁵⁹ Iowa Code § [911.3\(1\)](#).

⁵⁶⁰ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

⁵⁶¹ Iowa Code § [901.5\(12\)](#).

⁵⁶² Iowa Code § [901.5\(11\)](#).

⁵⁶³ Iowa Code § [901.10\(1\)](#).

⁵⁶⁴ Iowa Code § [124.412](#).

§ 124.406(2)—Distribution or possession w/ intent to distribute counterfeit or simulated schedule I, II, or III substance

§ 124.406(2)(a)—Distribution or possession w/ intent to distribute counterfeit or simulated schedule I or II substance to person under age 18

Class = “B” felony⁵⁶⁵

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ⁵⁶⁶	0 ⁵⁶⁷	No, But see Under 18 Sentencing See also Drug Enhancements and General Enhancements	Yes ⁵⁶⁸

Fines

Max	Min.	Can Suspend?
0 ⁵⁶⁹	0 ⁵⁷⁰	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	Yes, \$10 ⁵⁷¹ but n/a if received DJ, DS, or SS ⁵⁷²	No	No	No	Yes, \$125 ⁵⁷³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁷⁴	No	Yes, consider denying state ⁵⁷⁵ and federal benefits. ⁵⁷⁶

Notes:

- ❖ Max. Jail/Prison Time:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁵⁷⁷
 - violation is first conviction under § [124.406](#)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ Additional Penalty:
 - Business/Professional License:

⁵⁶⁵ Iowa Code § [124.406\(2\)\(a\)](#).

⁵⁶⁶ Iowa Code § [902.9\(1\)\(b\)](#).

⁵⁶⁷ Iowa Code § [902.9\(1\)\(b\)](#).

⁵⁶⁸ See Iowa Code § [907.3](#).

⁵⁶⁹ See Iowa Code § [902.9\(1\)\(b\)](#).

⁵⁷⁰ See Iowa Code § [902.9\(1\)\(b\)](#).

⁵⁷¹ Iowa Code § [911.2\(1\)](#).

⁵⁷² Iowa Code § [911.2\(2\)](#).

⁵⁷³ Iowa Code § [911.3\(1\)](#).

⁵⁷⁴ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

⁵⁷⁵ Iowa Code § [901.5\(12\)](#).

⁵⁷⁶ Iowa Code § [901.5\(11\)](#).

⁵⁷⁷ Iowa Code § [901.10\(1\)](#).

- If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁵⁷⁸

⁵⁷⁸ Iowa Code § [124.412](#).

§ 124.406(2)(b)—Distribution or possession w/ intent to distribute counterfeit or simulated schedule III substance to person who is under age 18 and at least 3 years younger than violator

Class = “C” felony⁵⁷⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁵⁸⁰	0 ⁵⁸¹	No, but see Drug Enhancements and General Enhancements	Yes ⁵⁸²

Fines

Max	Min.	Can Suspend?
\$10,000 ⁵⁸³	\$1000 ⁵⁸⁴	Yes ⁵⁸⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁸⁶	Yes, \$10 ⁵⁸⁷ but n/a if received DJ, DS, or SS ⁵⁸⁸	No	No	No	Yes, \$125 ⁵⁸⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁹⁰	No	Yes, consider denying state ⁵⁹¹ and federal benefits. ⁵⁹²

Notes:

- ❖ Max. Jail/Prison Time:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁵⁹³
 - violation is first conviction under § [124.406](#)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business⁵⁹⁴

⁵⁷⁹ Iowa Code § [124.406](#)(2)(b).

⁵⁸⁰ Iowa Code § [902.9](#)(1)(d).

⁵⁸¹ Iowa Code § [902.9](#)(1)(d).

⁵⁸² See Iowa Code § [907.3](#).

⁵⁸³ Iowa Code § [902.9](#)(1)(d).

⁵⁸⁴ Iowa Code § [902.9](#)(1)(d).

⁵⁸⁵ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁸⁶ Iowa Code § [911.1](#)(1).

⁵⁸⁷ Iowa Code § [911.2](#)(1).

⁵⁸⁸ Iowa Code § [911.2](#)(2).

⁵⁸⁹ Iowa Code § [911.3](#)(1).

⁵⁹⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁵⁹¹ Iowa Code § [901.5](#)(12).

⁵⁹² Iowa Code § [901.5](#)(11).

⁵⁹³ Iowa Code § [901.10](#)(1).

⁵⁹⁴ Iowa Code § [124.412](#).

§ 124.406(2)(c)—Distribution counterfeit or simulated schedule IV or V substance to person who is under age 18 and at least 3 years younger than violator

Class = aggravated misdemeanor⁵⁹⁵

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁹⁶	0 ⁵⁹⁷	No, but see Drug Enhancements	Yes ⁵⁹⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁹⁹

Fines

Max	Min.	Can Suspend?
\$6250 ⁶⁰⁰	\$625 ⁶⁰¹	Yes ⁶⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁰³	Yes, \$10 ⁶⁰⁴ but n/a if received DJ, DS, or SS ⁶⁰⁵	No	No	No	Yes, \$125 ⁶⁰⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶⁰⁷	No	Yes, consider denying state ⁶⁰⁸ and federal benefits. ⁶⁰⁹

Notes:

- ❖ Max. Jail/Prison Time:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁶¹⁰
 - violation is first conviction under § [124.406](#)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁶¹¹

⁵⁹⁵ Iowa Code § [124.406](#)(2)(c).

⁵⁹⁶ Iowa Code § [903.1](#)(2).

⁵⁹⁷ Iowa Code § [903.1](#)(2).

⁵⁹⁸ See Iowa Code § [907.3](#).

⁵⁹⁹ Iowa Code § [903.1](#)(2).

⁶⁰⁰ Iowa Code § [903.1](#)(2).

⁶⁰¹ Iowa Code § [903.1](#)(2).

⁶⁰² See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁶⁰³ Iowa Code § [911.1](#)(1).

⁶⁰⁴ Iowa Code § [911.2](#)(1).

⁶⁰⁵ Iowa Code § [911.2](#)(2).

⁶⁰⁶ Iowa Code § [911.3](#)(1).

⁶⁰⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁶⁰⁸ Iowa Code § [901.5](#)(12).

⁶⁰⁹ Iowa Code § [901.5](#)(11).

⁶¹⁰ Iowa Code § [901.10](#)(1).

⁶¹¹ Iowa Code § [124.412](#).

§ 124.406(3)—Conspiracy to deliver schedule I, II, III, IV, or V to person under age 18

Class = “D” felony⁶¹²

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁶¹³	0 ⁶¹⁴	No, but see Drug Enhancements and General Enhancements	Yes ⁶¹⁵

Fines

Max	Min.	Can Suspend?
\$7500 ⁶¹⁶	\$750 ⁶¹⁷	Yes ⁶¹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶¹⁹	Yes, \$10 ⁶²⁰ but n/a if received DJ, DS, or SS ⁶²¹	No	No	No	Yes, \$125 ⁶²²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶²³	No	Yes, consider denying state ⁶²⁴ and federal benefits. ⁶²⁵

Notes:

- ❖ Max. Jail/Prison Time:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁶²⁶
 - violation is first conviction under § [124.406](#)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating [ch. 124](#), court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business⁶²⁷

⁶¹² Iowa Code § [124.406\(3\)](#).

⁶¹³ Iowa Code § [902.9\(1\)\(e\)](#).

⁶¹⁴ Iowa Code § [902.9\(1\)\(e\)](#).

⁶¹⁵ See Iowa Code § [907.3](#).

⁶¹⁶ Iowa Code § [902.9\(1\)\(e\)](#).

⁶¹⁷ Iowa Code § [902.9\(1\)\(e\)](#).

⁶¹⁸ See Iowa Code § [902.9\(1\)\(e\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁶¹⁹ Iowa Code § [911.1\(1\)](#).

⁶²⁰ Iowa Code § [911.2\(1\)](#).

⁶²¹ Iowa Code § [911.2\(2\)](#).

⁶²² Iowa Code § [911.3\(1\)](#).

⁶²³ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

⁶²⁴ Iowa Code § [901.5\(12\)](#).

⁶²⁵ Iowa Code § [901.5\(11\)](#).

⁶²⁶ Iowa Code § [901.10\(1\)](#).

⁶²⁷ Iowa Code § [124.412](#).

§ 124.406A—Use of Persons Under Age 18 in Drug Trade

Class = “C” felony⁶²⁸

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁶²⁹	0 ⁶³⁰	No, but see Drug Enhancements and General Enhancements	Yes ⁶³¹

Fines

Max	Min.	Can Suspend?
\$10,000 ⁶³²	\$1000 ⁶³³	Yes ⁶³⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶³⁵	Yes, \$10 ⁶³⁶ but n/a if received DJ, DS, or SS ⁶³⁷	No	No	No	Yes, \$125 ⁶³⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶³⁹	No	Yes, consider denying state ⁶⁴⁰ and federal benefits. ⁶⁴¹

Notes:

- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business⁶⁴²

⁶²⁸ Iowa Code § [124.406A](#).

⁶²⁹ Iowa Code § [902.9\(1\)\(d\)](#).

⁶³⁰ Iowa Code § [902.9\(1\)\(d\)](#).

⁶³¹ See Iowa Code § [907.3](#).

⁶³² Iowa Code § [902.9\(1\)\(d\)](#).

⁶³³ Iowa Code § [902.9\(1\)\(d\)](#).

⁶³⁴ See Iowa Code § [902.9\(1\)\(d\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁶³⁵ Iowa Code § [911.1\(1\)](#).

⁶³⁶ Iowa Code § [911.2\(1\)](#).

⁶³⁷ Iowa Code § [911.2\(2\)](#).

⁶³⁸ Iowa Code § [911.3\(1\)](#).

⁶³⁹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

⁶⁴⁰ Iowa Code § [901.5\(12\)](#).

⁶⁴¹ Iowa Code § [901.5\(11\)](#).

⁶⁴² Iowa Code § [124.412](#).

§ 124.407—Gatherings w/ Unlawful Use of substances

§ 124.407(2)(a)—Gatherings w/ substance(s) other than marijuana

Class = “D” felony⁶⁴³

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁶⁴⁴	0 ⁶⁴⁵	No, but see Drug Enhancements and General Enhancements	Yes ⁶⁴⁶

Fines

Max	Min.	Can Suspend?
\$7500 ⁶⁴⁷	\$750 ⁶⁴⁸	Yes ⁶⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁵⁰	Yes, \$10 ⁶⁵¹ but n/a if received DJ, DS, or SS ⁶⁵²	No	No	No	Yes, \$125 ⁶⁵³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁶⁵⁴	No	Yes, consider denying state ⁶⁵⁵ and federal benefits. ⁶⁵⁶

Notes:

- ❖ Additional Penalties:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person’s profession or carry on person’s business⁶⁵⁷
 - Expense Taxed as Costs in Criminal Action:
 - “The reasonable expense to the state and governmental subdivisions thereof to provide the necessary law enforcement resulting from a meeting, gathering or assemblage held in violation of this section may be taxed as costs in the criminal action.”⁶⁵⁸

⁶⁴³ Iowa Code § [124.407](#)(2)(a).

⁶⁴⁴ Iowa Code § [902.9](#)(1)(e).

⁶⁴⁵ Iowa Code § [902.9](#)(1)(e).

⁶⁴⁶ See Iowa Code § [907.3](#).

⁶⁴⁷ Iowa Code § [902.9](#)(1)(e).

⁶⁴⁸ Iowa Code § [902.9](#)(1)(e).

⁶⁴⁹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁶⁵⁰ Iowa Code § [911.1](#)(1).

⁶⁵¹ Iowa Code § [911.2](#)(1).

⁶⁵² Iowa Code § [911.2](#)(2).

⁶⁵³ Iowa Code § [911.3](#)(1).

⁶⁵⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁶⁵⁵ Iowa Code § [901.5](#)(12).

⁶⁵⁶ Iowa Code § [901.5](#)(11).

⁶⁵⁷ Iowa Code § [124.412](#).

⁶⁵⁸ Iowa Code § [124.407](#)(4).

§ 124.407(2)(b)—Gatherings w/ only marijuana

Class = serious misdemeanor⁶⁵⁹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁶⁶⁰	0 ⁶⁶¹	N/A, but see Drug Enhancements	Yes ⁶⁶²

Fines

Max	Min.	Can Suspend?
\$1875 ⁶⁶³	\$315 ⁶⁶⁴	No ⁶⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁶⁶	Yes, \$10 ⁶⁶⁷ but n/a if received DJ, DS, or SS ⁶⁶⁸	No	No	No	Yes, \$125 ⁶⁶⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state ⁶⁷⁰ and federal benefits. ⁶⁷¹

Notes:

- ❖ Additional Penalties:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁶⁷²
 - Expense Taxed as Costs in Criminal Action:
 - "The reasonable expense to the state and governmental subdivisions thereof to provide the necessary law enforcement resulting from a meeting, gathering or assemblage held in violation of this section may be taxed as costs in the criminal action."⁶⁷³

⁶⁵⁹ Iowa Code § [124.407](#)(2)(b).

⁶⁶⁰ Iowa Code § [903.1](#)(1)(b).

⁶⁶¹ Iowa Code § [903.1](#)(1)(b).

⁶⁶² See Iowa Code § [907.3](#).

⁶⁶³ Iowa Code § [903.1](#)(1)(b).

⁶⁶⁴ Iowa Code § [903.1](#)(1)(b).

⁶⁶⁵ Iowa Code § [903.1](#)(1)(b).

⁶⁶⁶ Iowa Code § [911.1](#)(1).

⁶⁶⁷ Iowa Code § [911.2](#)(1).

⁶⁶⁸ Iowa Code § [911.2](#)(2).

⁶⁶⁹ Iowa Code § [911.3](#)(1).

⁶⁷⁰ Iowa Code § [901.5](#)(12).

⁶⁷¹ Iowa Code § [901.5](#)(11).

⁶⁷² Iowa Code § [124.412](#).

⁶⁷³ Iowa Code § [124.407](#)(4).

§ 124.414—Drug Paraphernalia

Class = simple misdemeanor⁶⁷⁴

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁶⁷⁵	0 ⁶⁷⁶	N/A, but see Drug Enhancements	Yes ⁶⁷⁷

Fines

Max	Min.	Can Suspend?
\$625 ⁶⁷⁸	\$65 ⁶⁷⁹	No ⁶⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁶⁸¹	Yes, \$10 ⁶⁸² but n/a if received DJ, DS, or SS ⁶⁸³	No	No	No	Yes, \$125 ⁶⁸⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	Yes, consider denying state ⁶⁸⁵ and federal benefits. ⁶⁸⁶

Notes:

- ❖ Additional Penalty:
 - Business/Professional License:
 - If person is convicted of violating ch. 124, court may suspend or revoke license or registration of the person to practice person's profession or carry on person's business⁶⁸⁷

⁶⁷⁴ Iowa Code § [124.414\(3\)](#).

⁶⁷⁵ Iowa Code § [903.1\(1\)\(a\)](#).

⁶⁷⁶ Iowa Code § [903.1\(1\)\(a\)](#).

⁶⁷⁷ See Iowa Code § [907.3](#).

⁶⁷⁸ Iowa Code § [903.1\(1\)\(a\)](#).

⁶⁷⁹ Iowa Code § [903.1\(1\)\(a\)](#).

⁶⁸⁰ Iowa Code § [903.1\(1\)](#).

⁶⁸¹ Iowa Code § [911.1\(1\)](#).

⁶⁸² Iowa Code § [911.2\(1\)](#).

⁶⁸³ Iowa Code § [911.2\(2\)](#).

⁶⁸⁴ Iowa Code § [911.3\(1\)](#).

⁶⁸⁵ Iowa Code § [901.5\(12\)](#).

⁶⁸⁶ Iowa Code § [901.5\(11\)](#).

⁶⁸⁷ Iowa Code § [124.412](#).

Enhancements for Drug Offenses

1. Violation of § 124.401(1) + Possession of Firearm

- ❖ Max. Jail/Prison Time:
 - “shall be sentenced to two times the term otherwise imposed by law”⁶⁸⁸
- ❖ Mand. Min. before Parole Eligible:
 - One-third of max. indeterminate sentence⁶⁸⁹
 - exception: does not apply if:
 - violation of § 124.401(1) is an accommodation offense,⁶⁹⁰ or
 - controlled substances was marijuana⁶⁹¹
 - Possible Mandatory Minimum Sentence Reduction:
 - sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁶⁹²
 - violation is first conviction under § 124.413
 - ◆ Note: § 124.413 sets out mandatory minimum before parole eligible for violation of § 124.401(1)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
 - exception:
 - if violation of § 124.401(1)(a) or (b) involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty⁶⁹³
 - ◆ can reduce mandatory minimum sentence by up to one-third if pleads guilty⁶⁹⁴
 - ◆ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:⁶⁹⁵
 - offender pleads guilty
 - cooperates in prosecution of others involved in the sale or use of controlled substances
 - prosecutor requests an additional reduction because of such cooperation

- ❖ Not eligible for DJ, DS, or SS,⁶⁹⁶ but see Under 18 Sentencing

2. Violation of § 124.401(1) + Possession of Offensive Weapon

- ❖ Max. Jail/Prison Time:
 - “shall be sentenced to three times the term otherwise imposed by law”⁶⁹⁷
- ❖ Mand. Min. before Parole Eligible:
 - One-third of max. indeterminate sentence⁶⁹⁸
 - exception: does not apply if:
 - violation of § 124.401(1) is an accommodation offense,⁶⁹⁹ or
 - controlled substances was marijuana⁷⁰⁰
 - Possible Mandatory Minimum Sentence Reduction:

⁶⁸⁸ Iowa Code § 124.401(1)(e).

⁶⁸⁹ Iowa Code § 124.413(1).

⁶⁹⁰ Iowa Code § 124.413(2)(a).

⁶⁹¹ Iowa Code § 124.413(2)(b).

⁶⁹² Iowa Code § 901.10(1).

⁶⁹³ Iowa Code § 901.10(2).

⁶⁹⁴ Iowa Code § 901.10(2).

⁶⁹⁵ Iowa Code § 901.10(2).

⁶⁹⁶ Iowa Code § 124.401(1)(e).

⁶⁹⁷ Iowa Code § 124.401(1)(f).

⁶⁹⁸ Iowa Code § 124.413(1).

⁶⁹⁹ Iowa Code § 124.413(2)(a).

⁷⁰⁰ Iowa Code § 124.413(2)(b).

- sentencing court has discretion to sentence offender to a term less than provided by statute if all of the following apply:⁷⁰¹
 - violation is first conviction under § [124.413](#)
 - ◆ Note: § [124.413](#) sets out mandatory minimum before parole eligible for violation of § [124.401](#)(1)
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- Exception:
 - if violation of § [124.401](#)(1)(a) or (b) involved amphetamine or methamphetamine, cannot reduce sentence unless offender pleads guilty⁷⁰²
 - ◆ can reduce mandatory minimum sentence by up to one-third if pleads guilty⁷⁰³
 - ◆ can grant a further reduction of up to one-half of the remaining mandatory minimum sentence if all of the following apply:⁷⁰⁴
 - offender pleads guilty
 - cooperates in prosecution of others involved in the sale or use of controlled substances
 - prosecutor requests an additional reduction because of such cooperation
 - ❖ Not eligible for DJ, DS, or SS,⁷⁰⁵ but see Under 18 Sentencing

3. Manufacture/Possession with Intent to Distribute or Distribution in, on, or within 1000 Feet of Certain Real Property, or on Marked School Bus

- ❖ Max. Jail/Prison Time:
 - “may be sentenced up to an additional term of confinement of five years”⁷⁰⁶
 - Note: this penalty may be imposed in addition to any other penalties provided in [chapter 124](#) or any other chapter⁷⁰⁷

4. Possession in, on, or within 1000 Feet of Certain Real Property, or on Marked School Bus

- ❖ Additional Penalty:
 - “may be sentenced to one hundred hours of community service work for a public agency or a nonprofit charitable organization”⁷⁰⁸
 - “court shall provide the offender with a written statement of the terms and monitoring provisions of the community service”⁷⁰⁹
 - Note: this penalty may be imposed in addition to any other penalties provided in [chapter 124](#) or any other chapter⁷¹⁰

5. Manufacturing Methamphetamine in Presence of Minors

- ❖ Max. Jail/Prison Time:
 - “shall be sentenced up to an additional term of confinement of five years”⁷¹¹
 - Exception:
 - “additional term of confinement shall not be imposed on a person who has been convicted and sentenced for a child endangerment offense under [§ [726.6](#)(1)(g)] arising from the same facts”⁷¹²

⁷⁰¹ Iowa Code § [901.10](#)(1).

⁷⁰² Iowa Code § [901.10](#)(2).

⁷⁰³ Iowa Code § [901.10](#)(2).

⁷⁰⁴ Iowa Code § [901.10](#)(2).

⁷⁰⁵ Iowa Code § [124.401](#)(1)(f).

⁷⁰⁶ Iowa Code § [124.401A](#).

⁷⁰⁷ Iowa Code § [124.401A](#).

⁷⁰⁸ Iowa Code § [124.401B](#).

⁷⁰⁹ Iowa Code § [124.401B](#).

⁷¹⁰ Iowa Code § [124.401B](#).

⁷¹¹ Iowa Code § [124.401C](#)(1).

⁷¹² Iowa Code § [124.401C](#)(1).

6. Second or Subsequent Offenses

- ❖ If person is convicted of second or subsequent offense under [chapter 124](#),⁷¹³ person may be:
 - “punished by imprisonment for a period not to exceed three times the term otherwise authorized,”⁷¹⁴ or
 - “fined not more than three times the amount otherwise authorized,”⁷¹⁵ or
 - “punished by both such imprisonment and fine”⁷¹⁶
- ❖ Exception:
 - This enhancement is not applicable to violations of § [124.401\(5\)](#)⁷¹⁷

⁷¹³ See Iowa Code § [124.411](#)(2) for what qualifies as a second or subsequent offense.

⁷¹⁴ Iowa Code § [124.411](#)(1).

⁷¹⁵ Iowa Code § [124.411](#)(1).

⁷¹⁶ Iowa Code § [124.411](#)(1).

⁷¹⁷ Iowa Code § [124.411](#)(3).

Ch. **124B** PRECURSOR Substances

§ **124B.9**—Sale, Transfer, Furnishing, or Receipt for Unlawful Purposes

§ **124B.9(1)**—Sale, transfer, or furnishing

Class = “C” felony⁷¹⁸

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁷¹⁹	0 ⁷²⁰	No, but see Enhancements	Yes ⁷²¹

Fines

Max	Min.	Can Suspend?
\$10,000 ⁷²²	\$1000 ⁷²³	Yes ⁷²⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷²⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁷²⁶	No	No

Notes:

⁷¹⁸ Iowa Code § [124B.9\(1\)](#).

⁷¹⁹ Iowa Code § [902.9\(1\)\(d\)](#).

⁷²⁰ Iowa Code § [902.9\(1\)\(d\)](#).

⁷²¹ See Iowa Code § [907.3](#).

⁷²² Iowa Code § [902.9\(1\)\(d\)](#).

⁷²³ Iowa Code § [902.9\(1\)\(d\)](#).

⁷²⁴ See Iowa Code § [902.9\(1\)\(d\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁷²⁵ Iowa Code § [911.1\(1\)](#).

⁷²⁶ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 124B.9(2)—Receipt

Class = “C” felony⁷²⁷

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁷²⁸	0 ⁷²⁹	No, but see Enhancements	Yes ⁷³⁰

Fines

Max	Min.	Can Suspend?
\$10,000 ⁷³¹	\$1000 ⁷³²	Yes ⁷³³

Surcharges

35% of fine or forfeiture Yes ⁷³⁴	DARE No	HTV No	DAA, SA, stalking, HTV No	DA Prot. Order Contempt No	LEIS No
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Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁷³⁵	No	No

Notes:

⁷²⁷ Iowa Code § 124B.9(2).

⁷²⁸ Iowa Code § 902.9(1)(d).

⁷²⁹ Iowa Code § 902.9(1)(d).

⁷³⁰ See Iowa Code § 907.3.

⁷³¹ Iowa Code § 902.9(1)(d).

⁷³² Iowa Code § 902.9(1)(d).

⁷³³ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁷³⁴ Iowa Code § 911.1(1).

⁷³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a).

Ch. 152C MASSAGE THERAPY

§ 152C.5—Practice or use of title—license required

§ 152C.5—License required

Class = serious misdemeanor⁷³⁶

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁷³⁷	0 ⁷³⁸	N/A	Yes ⁷³⁹

Fines

Max	Min.	Can Suspend?
\$1875 ⁷⁴⁰	\$315 ⁷⁴¹	No ⁷⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

- ❖ The defendant being a victim of a crime in violation of § [710A.2](#) it is an affirmative defense.⁷⁴⁴

⁷³⁶ [Iowa Code § 152C.5\(1\)](#) (amended by 2019 Iowa Acts ch. 106, § 1, effective 7/1/2019).

⁷³⁷ Iowa Code § [903.1\(1\)\(b\)](#).

⁷³⁸ Iowa Code § [903.1\(1\)\(b\)](#).

⁷³⁹ See Iowa Code § [907.3](#).

⁷⁴⁰ Iowa Code § [903.1\(1\)\(b\)](#).

⁷⁴¹ Iowa Code § [903.1\(1\)\(b\)](#).

⁷⁴² Iowa Code § [903.1\(1\)\(b\)](#).

⁷⁴³ Iowa Code § [911.1\(1\)](#).

⁷⁴⁴ Iowa Code § [152C.5\(2\)](#) (amended by 2019 Iowa Acts ch. 106, § 1, effective 7/1/2019).

Chapters 200–299A

omitted from this draft

Chapters 300–399

Ch. 321J Operating While Intoxicated

§ 321J.2--OWI

§ 321J.2(2)(a)—First offense

Class = serious misdemeanor⁷⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁷⁴⁶	48 hours ⁷⁴⁷	N/A	<p>DJ Eligible,⁷⁴⁸ unless:</p> <ul style="list-style-type: none"> ❖ Convicted under § <u>321J.2</u> or DL revoked under ch. <u>321J</u>,⁷⁴⁹ and ❖ Any of the following apply:⁷⁵⁰ <ul style="list-style-type: none"> ➢ BAC > .15⁷⁵¹ ➢ Prior conviction of § <u>321J.2</u>(1) or substantially corresponding statute in another state⁷⁵² ➢ Previous DJ or DS for violation of § <u>321J.2</u>(1) or substantially corresponding statute in another state⁷⁵³ ➢ Refused consent to chemical test per § <u>321J.6</u>⁷⁵⁴ ➢ Offense results in bodily injury to another person⁷⁵⁵ <p>DS Eligible,⁷⁵⁶ unless:</p> <ul style="list-style-type: none"> ❖ Any of the following apply: <ul style="list-style-type: none"> ➢ BAC > .15⁷⁵⁷ ➢ Prior conviction of § <u>321J.2</u>(1) or substantially corresponding statute in another state⁷⁵⁸ ➢ Previous DJ or DS for violation of § <u>321J.2</u>(1) or substantially corresponding statute in another state⁷⁵⁹ ➢ Refused consent to chemical test per § <u>321J.6</u>⁷⁶⁰ ➢ Offense results in bodily injury to another person⁷⁶¹ <p>SS Eligible,⁷⁶² but cannot suspend 48-hour min.⁷⁶³</p> <p>See Notes</p>

- ❖ Sentencing court may accommodate person's work schedule in ordering service of the sentence, at the court's discretion⁷⁶⁴

Fines

Max.	Min.	Can Suspend?
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⁷⁴⁵ Iowa Code § 321J.2(2)(a).

⁷⁴⁶ Iowa Code § 321J.2(3)(a).

⁷⁴⁷ Iowa Code § 321J.2(3)(a).

⁷⁴⁸ Iowa Code § 321J.2(3)(b)(1).

⁷⁴⁹ Iowa Code §§ 321J.2(3)(b)(2), 907.3(1)(a)(6).

⁷⁵⁰ Iowa Code §§ 321J.2(3)(b)(2), 907.3(1)(a)(6).

⁷⁵¹ Iowa Code §§ 321J.2(3)(b)(2)(a), 907.3(1)(a)(6)(a).

⁷⁵² Iowa Code §§ 321J.2(3)(b)(2)(b), 907.3(1)(a)(6)(b).

⁷⁵³ Iowa Code §§ 321J.2(3)(b)(2)(c), 907.3(1)(a)(6)(c).

⁷⁵⁴ Iowa Code §§ 321J.2(3)(b)(2)(d), 907.3(1)(a)(6)(d).

⁷⁵⁵ Iowa Code §§ 321J.2(3)(b)(2)(e), 907.3(1)(a)(6)(e).

⁷⁵⁶ See Iowa Code § 907.3 (2)(a)(2).

⁷⁵⁷ Iowa Code § 907.3(2)(a)(2)(a).

⁷⁵⁸ Iowa Code § 907.3(2)(a)(2)(b).

⁷⁵⁹ Iowa Code § 907.3(2)(a)(2)(c).

⁷⁶⁰ Iowa Code § 907.3(2)(a)(2)(d).

⁷⁶¹ Iowa Code § 907.3(2)(a)(2)(e).

⁷⁶² See Iowa Code § 907.3(3)(c).

⁷⁶³ Iowa Code § 907.3(3)(c).

⁷⁶⁴ Iowa Code § 321J.2(3)(a).

\$1250 ⁷⁶⁵	\$1250 ⁷⁶⁶	No ⁷⁶⁷ Court may waive up to \$625 of the fine if: ❖ No personal or property injury resulted, ⁷⁶⁸ and ❖ Person presents to the court a temporary restricted license issued per § 321J.20 ⁷⁶⁹ Alternative to some or all of the fine: ❖ Court may order person to perform unpaid community service ⁷⁷⁰ ❖ But alternative unpaid community service cannot be performed in lieu of civil penalty or victim restitution ⁷⁷¹
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Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁷⁷²	Yes, \$10, ⁷⁷³ but n/a if receives DJ, DS, or SS ⁷⁷⁴	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, min. of 180 days ⁷⁷⁵ up to max. of 1 year ⁷⁷⁶ See Notes	No	No	No

Notes:

- ❖ DJ, DS, or SS Eligible:
 - If DJ is entered, civil penalty of at least \$1250 shall be assessed⁷⁷⁷
 - up to \$625 of the civil penalty may be waived if:
 - no personal or property injury resulted,⁷⁷⁸ and
 - offender presents to the court a temporary restricted license issued per § [321J.20](#)⁷⁷⁹
 - Required conditions (in addition to any other condition of probation):

⁷⁶⁵ Iowa Code § [321J.2](#)(3)(c).

⁷⁶⁶ Iowa Code § [321J.2](#)(3)(c).

⁷⁶⁷ See Iowa Code § [907.3](#) (3)(c). Even though any amount over the minimum can be suspended, *see id.* § [907.3](#)(3), because the maximum and minimum are the same for this offense, the practical effect is the fine cannot be suspended.

⁷⁶⁸ Iowa Code § [321J.2](#)(3)(c).

⁷⁶⁹ Iowa Code § [321J.2](#)(3)(c) (amended by 2018 Iowa Acts ch. 1110, § 2 to eliminate the temporal requirement of ineligibility for a temporary restricted license before the court may waive a portion of the fine, effective 7/1/2018). Iowa Code § [321J.20](#) amended by Iowa Acts ch. 1110, § 8 to eliminate the purpose restrictions, such as employment, health care, education, etc., effectively allowing a temporary restricted license holder to “operate a motor vehicle in any manner allowed for a person issued a valid class C driver’s license,” effective 7/1/2018.

⁷⁷⁰ Iowa Code § [321J.2](#)(3)(c)(2).

⁷⁷¹ Iowa Code § [321J.2](#)(3)(c)(2).

⁷⁷² Iowa Code § [911.1](#)(1).

⁷⁷³ Iowa Code § [911.2](#)(1).

⁷⁷⁴ Iowa Code § [911.2](#)(2).

⁷⁷⁵ Iowa Code § [321J.2](#)(3)(d).

⁷⁷⁶ Iowa Code § [321J.2](#)(3)(d).

⁷⁷⁷ Iowa Code § [321J.2](#)(3)(c)(1).

⁷⁷⁸ See Iowa Code § [321J.2](#)(3)(c), (c)(1).

⁷⁷⁹ See Iowa Code § [321J.2](#)(3)(c), (c)(1) (amended by 2018 Iowa Acts ch. 1110, § 2 to eliminate the temporal requirement of ineligibility for a temporary restricted license before the court may waive a portion of the fine, effective 7/1/2018). Iowa Code § [321J.20](#) amended by Iowa Acts ch. 1110, § 8 to eliminate the purpose restrictions, such as employment, health care, education, etc., effectively allowing a temporary restricted license holder to “operate a motor vehicle in any manner allowed for a person issued a valid class C driver’s license,” effective 7/1/2018.

- attend program providing substance abuse prevention services or posttreatment services⁷⁸⁰
 - report to probation officer with proof of attendance at treatment or posttreatment program⁷⁸¹
 - Additional terms and conditions, to the extent § 907.3 allows⁷⁸²
- ❖ License Revocation:
- 180 days to 1 year pursuant to § 321J.4(1), § 321J.9, or § 321J.12⁷⁸³
 - If violation of § 321J.2 involved a serious injury of a person other than the defendant:⁷⁸⁴
 - In open court, the court shall consider information in the file and other evidence submitted, and determine
 - whether the defendant's conduct in violation of § 321J.2 caused the serious injury
 - If court determines serious injury was caused by defendant's conduct:
 - Driver's license revoked for 1 year in addition to any other period of suspension or revocation
 - Defendant shall surrender any Iowa license or permit
 - court shall forward surrendered license or permit to DOT with a copy of the revocation order
 - If violation of § 321J.2 involved death:⁷⁸⁵
 - In open court, the court shall consider information in the file and other evidence submitted, and determine
 - whether the defendant's conduct in violation of § 321J.2 caused the death
 - If court determines death was caused by defendant's conduct:
 - Driver's license revoked for six years
 - Ineligible for any temporary restricted license for at least two years after the revocation
 - Defendant shall surrender any Iowa license or permit
 - Court shall forward surrendered license or permit to DOT with a copy of the revocation order
 - Temporary Restricted License:
 - DOT to determine⁷⁸⁶
- ❖ Additional Penalties:
- Prior to sentencing, order substance abuse evaluation⁷⁸⁷
 - at person's expense⁷⁸⁸
 - order person to follow recommendations from evaluation⁷⁸⁹
 - Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § 321J.24 if available and appropriate⁷⁹⁰
 - Court may prescribe length of time for evaluation and treatment or may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁷⁹¹

⁷⁸⁰ Iowa Code § 321J.3(1)(g).

⁷⁸¹ Iowa Code § 321J.3(1)(g).

⁷⁸² Iowa Code § 321J.2(6).

⁷⁸³ Iowa Code § 321J.2(3)(d) (amended by 2018 Iowa Acts ch. 1110, § 3 to eliminate revocation for test refusal and specific blood alcohol concentrations, effective 7/1/2018); Iowa Code § 321J.4(1) amended by 2018 Iowa Acts ch. 1110, § 4, effective 7/1/2018.

⁷⁸⁴ Iowa Code § 321J.4(5) (amended by 2018 Iowa Acts ch. 1110, § 4 to eliminate the minimum period of ineligibility before defendant is eligible for a temporary restricted license, effective 7/1/2018).

⁷⁸⁵ Iowa Code § 321J.4(6). The amendment to Iowa Code § 321J.20 per 2018 Iowa Acts ch. 1110, § 8 (which eliminated the purpose restrictions, such as employment, health care, education, etc., effectively allowing a temporary restricted license holder to "operate a motor vehicle in any manner allowed for a person issued a valid class C driver's license,") does not apply to Iowa Code § 321J.4(6), effective 7/1/2018.

⁷⁸⁶ See Iowa Code § 321J.2(3)(d) (amended by 2018 Iowa Acts ch. 1110, § 3 to eliminate sub-subsections (1) and (2), effective 7/1/2018).

⁷⁸⁷ Iowa Code § 321J.2(7)(a).

⁷⁸⁸ Iowa Code § 321J.2(7)(a).

⁷⁸⁹ Iowa Code §§ 321J.2(7)(a), 321J.3(1)(a).

⁷⁹⁰ Iowa Code § 321J.2(3)(e), (7)(b).

⁷⁹¹ Iowa Code § 321J.3(1)(c).

- Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁷⁹²
- If person fails to comply:
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work,⁷⁹³ *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court⁷⁹⁴
- Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person⁷⁹⁵

⁷⁹² Iowa Code § [321J.3](#)(1)(d).

⁷⁹³ Iowa Code § [321J.3](#)(1)(f).

⁷⁹⁴ Iowa Code § [321J.3](#)(1)(f).

⁷⁹⁵ Iowa Code § [321J.4](#)(8)(a).

§ 321J.2(2)(b)—Second offense

- ❖ In determining if violation is second offense:
 - Previous offenses include:
 - DJ for violations of § [321J.2](#) entered per § [907.3](#)⁷⁹⁶
 - Convictions or equivalent of DJ for violations of substantially corresponding statutes from other states⁷⁹⁷
 - Court shall take judicial notice of these statutes⁷⁹⁸
 - Each conviction or DJ entered before date the instant offense was charged is a separate offense⁷⁹⁹
 - Previous offenses do not include:
 - Any conviction or license revocation deleted from motor vehicle operating records per § 321.12⁸⁰⁰

Class = aggravated misdemeanor⁸⁰¹

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁸⁰²	7 days, ⁸⁰³ see Notes	N/A if jail 7 days if prison	Not DJ Eligible ⁸⁰⁴ or DS Eligible ⁸⁰⁵ ❖ but see Under 18 Sentencing SS Eligible, ⁸⁰⁶ but cannot suspend 7-day min. ⁸⁰⁷ See Notes

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁸⁰⁸

Fines

Max	Min.	Can Suspend?
\$6250 ⁸⁰⁹	\$1875 ⁸¹⁰	Yes, ⁸¹¹ but not the min. ⁸¹² and cannot suspend any portion of the fine over the min. if any of the following apply: ❖ BAC > .15 ⁸¹³ ❖ Prior conviction of § 321J.2 (1) or substantially corresponding statute in another state ⁸¹⁴

⁷⁹⁶ Iowa Code § [321J.2](#)(8)(b).

⁷⁹⁷ Iowa Code § [321J.2](#)(8)(c).

⁷⁹⁸ Iowa Code § [321J.2](#)(8)(c).

⁷⁹⁹ Iowa Code § [321J.2](#)(8)(c).

⁸⁰⁰ Iowa Code § [321J.2](#)(8)(a).

⁸⁰¹ Iowa Code § [321J.2](#)(2)(b).

⁸⁰² Iowa Code § [321J.2](#)(4)(a).

⁸⁰³ Iowa Code § [321J.2](#)(4)(a).

⁸⁰⁴ See Iowa Code § [907.3](#)(1)(a)(6)(b), (c).

⁸⁰⁵ See Iowa Code § [907.3](#)(2)(a)(2)(b), (c).

⁸⁰⁶ See Iowa Code § [907.3](#)(3)(c).

⁸⁰⁷ Iowa Code § [907.3](#) (3)(c).

⁸⁰⁸ Iowa Code § [903.1](#)(2).

⁸⁰⁹ Iowa Code § [321J.2](#)(4)(b).

⁸¹⁰ Iowa Code § [321J.2](#)(4)(b).

⁸¹¹ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁸¹² Iowa Code § [907.3](#)(3)(c) includes this clause: “the court shall not suspend any part of a sentence not involving incarceration imposed pursuant to section [321J.2](#), subsection 3, 4, or 5, beyond the mandatory minimum if” a prior conviction or deferred judgment. **Author’s Note:** We find that clause confusing, and at first glance it appears to allow the mandatory minimum fine to be suspended; but based on a chronological review of case law and legislation, we conclude that no part of the minimum fine can be suspended. Cf. *State v. Klein*, 574 N.W.2d 347, 348–49 (Iowa 1998) (allowing fines to be suspended); 1998 Iowa Acts, ch. 1138, §§ 2, 8 (amended [321J.2](#)(3)(a)(1) (“court . . . shall not suspend execution of any other part of a sentence not involving incarceration . . . ,”) and 903.3(3)(c)(1) after the *Klein* ruling); 2010 Iowa Act., ch. 1124, § 1 (reorganized section [321J.2](#), altered the wording of [321J.2](#), left substance of 903.3(3)(c)(1) the same).

⁸¹³ Iowa Code § [907.3](#)(3)(c)(1).

⁸¹⁴ Iowa Code § [907.3](#)(3)(c)(2).

		<ul style="list-style-type: none"> ❖ Previously received DJ or DS for violation of § 321J.2(1) or substantially corresponding statute in another state⁸¹⁵ ❖ Refused to consent to chemical test per § 321J.6⁸¹⁶ ❖ Offense results in bodily injury to another person⁸¹⁷
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Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁸¹⁸	Yes, \$10 ⁸¹⁹ but n/a if receive DJ, DS, or SS ⁸²⁰	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
<p>Yes</p> <ul style="list-style-type: none"> ❖ Revoked for 1 year if revocation occurs for failing chemical test under § 321J.12(1)⁸²¹ ❖ Revoked for 2 years if revocation occurs: <ul style="list-style-type: none"> ➢ for refusing chemical test under § 321J.9,⁸²² or ➢ for refusing chemical test and having a previous conviction under ch. 321J, per § 321J.4(2)⁸²³ <p>See Notes</p>	No, ⁸²⁴ unless person has more than 1 previous revocation as determined by § 321J.2 (8) within the 12-year period immediately preceding the instant offense ⁸²⁵	No	No

Notes:

- ❖ Min. Jail/Prison Time:
 - Must be served on consecutive days⁸²⁶
 - Exception:
 - May order person to serve the minimum term in segments of at least 48 hours and to perform a specified number of unpaid community service hours⁸²⁷ if sentencing court finds:
 - ◆ service of full minimum term on consecutive days would be an undue hardship on person,⁸²⁸ or
 - ◆ sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing⁸²⁹
- ❖ DJ, DS, or SS Eligible:
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁸³⁰

⁸¹⁵ Iowa Code § [907.3](#)(3)(c)(3).

⁸¹⁶ Iowa Code § [907.3](#)(3)(c)(4).

⁸¹⁷ Iowa Code § [907.3](#)(3)(c)(5).

⁸¹⁸ Iowa Code § [911.1](#)(1).

⁸¹⁹ Iowa Code § [911.2](#)(1).

⁸²⁰ Iowa Code § [911.2](#)(2).

⁸²¹ Iowa Code § [321J.2](#)(4)(c).

⁸²² Iowa Code § [321J.2](#)(4)(c).

⁸²³ Iowa Code § [321J.2](#)(4)(c); Iowa Code § [321J.4](#)(2) amended by 2018 Iowa Acts ch. 1110, § 4, to eliminate the minimum period of ineligibility before defendant is eligible for a temporary restricted license, effective 7/1/2018.

⁸²⁴ Iowa Code § 81.1(1)(a).

⁸²⁵ Iowa Code § 81.1(1)(b).

⁸²⁶ Iowa Code § [321J.2](#)(7)(c).

⁸²⁷ Iowa Code § [321J.2](#)(7)(c).

⁸²⁸ Iowa Code § [321J.2](#)(7)(c).

⁸²⁹ Iowa Code § [321J.2](#)(7)(c).

⁸³⁰ Iowa Code § [321J.3](#)(1)(g).

- report to probation officer with proof of attendance at treatment or posttreatment program⁸³¹
- Additional terms and conditions, to the extent § [907.3](#) allows⁸³²
- ❖ License Revocation:
 - If violation of § [321J.2](#) involved a serious injury of a person other than the defendant:⁸³³
 - In open court, the court shall consider information in the file and other evidence submitted, and determine:
 - whether the defendant's conduct in violation of § [321J.2](#) caused the serious injury
 - If court determines serious injury was caused by defendant's conduct:
 - Driver's license revoked for 1 year in addition to any other period of suspension or revocation
 - Defendant shall surrender any Iowa license or permit
 - court shall forward surrendered license or permit to DOT with a copy of the revocation order
 - If violation of § [321J.2](#) involved death:⁸³⁴
 - In open court, the court shall consider information in the file and other evidence submitted, and determine:
 - whether the defendant's conduct in violation of § [321J.2](#) caused the death
 - If court determines death was caused by defendant's conduct:
 - Driver's license revoked for six years
 - Ineligible for any temporary restricted license for at least two years after the revocation
 - Defendant shall surrender any Iowa license or permit
 - Court shall forward surrendered license or permit to DOT with a copy of the revocation order
- ❖ Additional Penalties:
 - Prior to sentencing, order substance abuse evaluation⁸³⁵
 - at person's expense⁸³⁶
 - order person to follow recommendations from evaluation⁸³⁷
 - Court may commit person for inpatient treatment of alcoholism or drug addiction or dependency⁸³⁸
 - Time for treatment is credited against person's sentence⁸³⁹
 - Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁸⁴⁰
 - Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § [321J.24](#) if available and appropriate⁸⁴¹
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁸⁴²
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁸⁴³
 - If person fails to comply:

⁸³¹ Iowa Code § [321J.3\(1\)\(g\)](#).

⁸³² Iowa Code § [321J.2\(6\)](#).

⁸³³ Iowa Code § [321J.4\(5\)](#) (amended by 2018 Iowa Acts ch. 1110, § 4 to eliminate the minimum period of ineligibility before offender is eligible for a temporary restricted license, effective 7/1/2018).

⁸³⁴ Iowa Code § [321J.4\(6\)](#). The amendment to Iowa Code § [321J.20](#) per 2018 Iowa Acts ch. 1110, § 8 (which eliminated the purpose restrictions, such as employment, health care, education, etc., effectively allowing a temporary restricted license holder to "operate a motor vehicle in any manner allowed for a person issued a valid class C driver's license,") does not apply to Iowa Code § [321J.4\(6\)](#), effective 7/1/2018.

⁸³⁵ Iowa Code § [321J.2\(7\)\(a\)](#).

⁸³⁶ Iowa Code § [321J.2\(7\)\(a\)](#).

⁸³⁷ Iowa Code § [321J.2\(7\)\(a\)](#).

⁸³⁸ Iowa Code § [321J.3\(2\)\(a\)](#).

⁸³⁹ Iowa Code § [321J.3\(2\)\(a\)](#).

⁸⁴⁰ Iowa Code § [321J.3\(2\)\(b\)](#).

⁸⁴¹ Iowa Code §§ [321J.2\(4\)\(d\), \(7\)\(b\), 321J.3\(1\)\(a\)](#).

⁸⁴² Iowa Code § [321J.3\(1\)\(c\)](#).

⁸⁴³ Iowa Code § [321J.3\(1\)\(d\)](#).

- Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court or may be ordered to perform unpaid community service work,⁸⁴⁴ and
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court⁸⁴⁵
- Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person⁸⁴⁶
- Motor vehicle subject to impoundment for second or subsequent OWI offense, or operated while suspended, denied, revoked, or barred to violation of § [321J.2](#)⁸⁴⁷

⁸⁴⁴ Iowa Code § [321J.3](#)(1)(f).

⁸⁴⁵ Iowa Code § [321J.3](#)(1)(f).

⁸⁴⁶ Iowa Code § [321J.4](#)(8)(a).

⁸⁴⁷ Iowa Code § [321J.4B](#)(2)(a).

§ 321J.2(2)(c)—Third and each subsequent offense

- ❖ In determining if violation is third or subsequent offense:
 - Previous offenses include:
 - DJ for violations of § 321J.2 entered per § 907.3⁸⁴⁸
 - Convictions or equivalent of DJ for violations of substantially corresponding statutes from other states⁸⁴⁹
 - Court shall take judicial notice of these statutes⁸⁵⁰
 - Each conviction or DJ entered before date the instant offense was charged is a separate offense⁸⁵¹
 - Previous offenses do not include:
 - Any conviction or revocation deleted from motor vehicle operating records per § 321.12⁸⁵²

Class = “D” felony⁸⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁸⁵⁴ May sentence as habitual offender ⁸⁵⁵	30 days, ⁸⁵⁶ see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ ⁸⁵⁷ or DS ⁸⁵⁸ ❖ but see Under 18 Sentencing SS Eligible, ⁸⁵⁹ but cannot suspend 30-day min. ⁸⁶⁰ See Notes

Fines

Max.	Min.	Can Suspend?
\$9375 ⁸⁶¹	\$3125 ⁸⁶²	Yes, but not the min. ⁸⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁸⁶⁴	Yes, \$10 ⁸⁶⁵ but n/a if receive DJ, DS, or SS ⁸⁶⁶	No	No	No	No

⁸⁴⁸ Iowa Code § 321J.2(8)(b).

⁸⁴⁹ Iowa Code § 321J.2(8)(c).

⁸⁵⁰ Iowa Code § 321J.2(8)(c).

⁸⁵¹ Iowa Code § 321J.2(8)(c).

⁸⁵² Iowa Code § 321J.2(8)(a).

⁸⁵³ Iowa Code § 321J.2(2)(c).

⁸⁵⁴ Iowa Code § 321J.2(5)(a).

⁸⁵⁵ Iowa Code § 321J.2(5)(e) (2019) (added by 2019 Iowa Acts ch. 5, § 2, effective 7/1/2019). See Iowa Code §§ 902.8-.9.

⁸⁵⁶ Iowa Code § 321J.2(5)(a).

⁸⁵⁷ See Iowa Code § 907.3 (1)(a)(6)(b), (c).

⁸⁵⁸ See Iowa Code § 907.3 (2)(a)(2)(b), (c).

⁸⁵⁹ See Iowa Code § 321J.2(5)(a)(1)–(2).

⁸⁶⁰ Iowa Code § 907.3 (3)(c).

⁸⁶¹ Iowa Code § 321J.2(5)(b).

⁸⁶² Iowa Code § 321J.2(5)(b).

⁸⁶³ Iowa Code § 907.3 (3)(c) includes this clause: “the court shall not suspend any part of a sentence not involving incarceration imposed pursuant to section 321J.2, subsection 3, 4, or 5, beyond the mandatory minimum if” a prior conviction or deferred judgment. **Author’s Note:** We find that clause confusing, and at first glance it appears to allow the mandatory minimum fine to be suspended; but based on a chronological review of case law and legislation, we conclude that no part of the minimum fine can be suspended. Cf. *State v. Klein*, 574 N.W.2d 347, 348-49 (Iowa 1998) (allowing fines to be suspended); 1998 Iowa Acts, ch. 1138, §§ 2, 8 (amended 321J.2(3)(a)(1) (“court . . . shall not suspend execution of any other part of a sentence not involving incarceration . . . ,”) and 903.3(3)(c)(1) after the *Klein* ruling); 2010 Iowa Act., ch. 1124, § 1 (reorganized section 321J.2, altered the wording of 321J.2, left substance of 903.3(3)(c)(1) the same).

⁸⁶⁴ Iowa Code § 911.1(1).

⁸⁶⁵ Iowa Code § 911.2(1).

⁸⁶⁶ Iowa Code § 911.2(2).

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, 6 years per § 321J.4 (4) ⁸⁶⁷ See Notes	Yes ⁸⁶⁸	No	No

Notes:

- ❖ Min. Jail/Prison Time:
 - Must be served on consecutive days⁸⁶⁹
 - Exception:
 - May order person to serve the minimum term in segments of at least 48 hours and to perform a specified number of unpaid community service hours⁸⁷⁰ if sentencing court finds:
 - ◆ service of full minimum term on consecutive days would be an undue hardship on person,⁸⁷¹ or
 - ◆ sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing⁸⁷²
- ❖ DJ, DS, or SS Eligible:
 - If don't suspend sentence under § [321J.2](#)(5)(a), person shall be assigned to a facility per § [904.513](#)⁸⁷³
 - If do suspend sentence under § [321J.2](#)(5)(a):
 - must order person to serve at least 30 days but no more than one year in county jail,⁸⁷⁴ and
 - may commit person to treatment in the community per § 907.6⁸⁷⁵
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁸⁷⁶
 - report to probation officer with proof of attendance at treatment or posttreatment program⁸⁷⁷
 - Additional terms and conditions, to the extent § [907.3](#) allows⁸⁷⁸
- ❖ License Revocation:
 - If violation of § [321J.2](#) involved a serious injury of a person other than the defendant⁸⁷⁹:
 - In open court, the court shall consider information in the file and other evidence submitted, and determine:
 - whether the defendant's conduct in violation of § [321J.2](#) caused the serious injury
 - If court determines serious injury was caused by defendant's conduct:
 - Driver's license revoked for one year in addition to any other period of suspension or revocation
 - Defendant shall surrender any Iowa license or permit
 - court shall forward surrendered license or permit to DOT with a copy of the revocation order
 - If violation of § [321J.2](#) involved death:⁸⁸⁰
 - In open court, the court shall consider information in the file and other evidence submitted, and determine:
 - whether the defendant's conduct in violation of § [321J.2](#) caused the death

⁸⁶⁷ Iowa Code § [321J.2](#)(5)(c). Iowa Code § [321J.4](#)(4) amended by 2018 Iowa Acts ch. 1110, § 4, effective 7/1/2018.

⁸⁶⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁸⁶⁹ Iowa Code § [321J.2](#)(7)(c).

⁸⁷⁰ Iowa Code § [321J.2](#)(7)(c).

⁸⁷¹ Iowa Code § [321J.2](#)(7)(c).

⁸⁷² Iowa Code § [321J.2](#)(7)(c).

⁸⁷³ Iowa Code § [321J.2](#)(5)(a)(1).

⁸⁷⁴ Iowa Code § [321J.2](#)(5)(a)(2).

⁸⁷⁵ Iowa Code § [321J.2](#)(5)(a)(2).

⁸⁷⁶ Iowa Code § [321J.3](#)(1)(g).

⁸⁷⁷ Iowa Code § [321J.3](#)(1)(g).

⁸⁷⁸ Iowa Code § [321J.2](#)(6).

⁸⁷⁹ Iowa Code § [321J.4](#)(5) (amended by 2018 Iowa Acts ch. 1110, § 4 to eliminate the minimum period of ineligibility before offender is eligible for a temporary restricted license, effective 7/1/2018).

⁸⁸⁰ Iowa Code § [321J.4](#)(6). The amendment to Iowa Code § [321J.20](#) per 2018 Iowa Acts ch. 1110, § 8 (which eliminated the purpose restrictions, such as employment, health care, education, etc., effectively allowing a temporary restricted license holder to "operate a motor vehicle in any manner allowed for a person issued a valid class C driver's license,") does not apply to Iowa Code § [321J.4](#)(6), effective 7/1/2018.

- If court determines death was caused by defendant's conduct:
 - Driver's license revoked for six years
 - Ineligible for any temporary restricted license for at least two years after the revocation
 - Defendant shall surrender any Iowa license or permit
 - Court shall forward surrendered license or permit to DOT with a copy of the revocation order
- ❖ Additional Penalties:
 - Prior to sentencing, order substance abuse evaluation⁸⁸¹
 - at person's expense⁸⁸²
 - order person to follow recommendations from evaluation⁸⁸³
 - Court may commit person for inpatient treatment of alcoholism or drug addiction or dependency⁸⁸⁴
 - Time for treatment is credited against person's sentence⁸⁸⁵
 - Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁸⁸⁶
 - Assignment to substance abuse evaluation and treatment, course for drinking drivers, and reality education substance abuse prevent program per § [321J.24](#) if available and appropriate⁸⁸⁷
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁸⁸⁸
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁸⁸⁹
 - If person fails to comply:
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work,⁸⁹⁰ *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court⁸⁹¹
 - Upon DJ or conviction, may order person to install ignition interlock devices on all motor vehicles owned or operated by person⁸⁹²
 - Motor vehicle subject to impoundment for second or subsequent OWI offense, or operated while suspended, denied, revoked, or barred to violation of § [321J.2](#)⁸⁹³

⁸⁸¹ Iowa Code § [321J.2\(7\)\(a\)](#).

⁸⁸² Iowa Code § [321J.2\(7\)\(a\)](#).

⁸⁸³ Iowa Code § [321J.2\(7\)\(a\)](#).

⁸⁸⁴ Iowa Code § [321J.3\(2\)\(a\)](#).

⁸⁸⁵ Iowa Code § [321J.3\(2\)\(a\)](#).

⁸⁸⁶ Iowa Code § [321J.3\(2\)\(b\)](#).

⁸⁸⁷ Iowa Code § [321J.2\(5\)\(d\), \(7\)\(b\)](#).

⁸⁸⁸ Iowa Code § [321J.3\(1\)\(c\)](#).

⁸⁸⁹ Iowa Code § [321J.3\(1\)\(d\)](#).

⁸⁹⁰ Iowa Code § [321J.3\(1\)\(f\)](#).

⁸⁹¹ Iowa Code § [321J.3\(1\)\(f\)](#).

⁸⁹² Iowa Code § [321J.4\(8\)\(a\)](#).

⁸⁹³ Iowa Code § [321J.4B\(2\)\(a\)](#).

§ 321J.21—Driving While License Suspended, Denied, Revoked, or Barred

Class = serious misdemeanor⁸⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁸⁹⁵	0 ⁸⁹⁶	N/A	Yes ⁸⁹⁷

Fines

Max.	Min.	Can Suspend?
\$1000 ⁸⁹⁸	\$1000 ⁸⁹⁹	No ⁹⁰⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹⁰¹	Yes, \$10 ⁹⁰² but n/a if receive DJ, DS, or SS ⁹⁰³	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, see Notes	No	No	No

Notes:

- ❖ License Revocation:
 - Period of revocation shall be extended for an additional period of time which is of the same length of time as the initial period of revocation⁹⁰⁴
 - No new license shall be issued during this additional period⁹⁰⁵
- ❖ Additional Penalty:
 - Motor vehicle subject to impoundment for second or subsequent OWI offense, or operated while suspended, denied, revoked, or barred to violation of § [321J.2](#)⁹⁰⁶

⁸⁹⁴ Iowa Code § [321J.21](#)(1).

⁸⁹⁵ Iowa Code § [903.1](#)(1)(b).

⁸⁹⁶ Iowa Code § [903.1](#)(1)(b).

⁸⁹⁷ See Iowa Code § [907.3](#).

⁸⁹⁸ Iowa Code § [321J.21](#)(1).

⁸⁹⁹ Iowa Code § [321J.21](#)(1).

⁹⁰⁰ Iowa Code § [903.1](#)(1).

⁹⁰¹ Iowa Code § [911.1](#)(1).

⁹⁰² Iowa Code § [911.2](#)(1).

⁹⁰³ Iowa Code § [911.2](#)(2).

⁹⁰⁴ Iowa Code § [321J.21](#)(2).

⁹⁰⁵ Iowa Code § [321J.21](#)(2).

⁹⁰⁶ Iowa Code § [321J.4B](#)(2)(a).

Chapters 400–499B

CH. 453B EXCISE TAX ON UNLAWFUL DEALING IN CERTAIN SUBSTANCES

§ 453B.12(2)–(4)—*Unlawful Use or Failure to Use Appropriate Stamp, Label, or Other Indicia*

Class = “D” felony⁹⁰⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁹⁰⁸	0 ⁹⁰⁹	No, but see Enhancements	Yes ⁹¹⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ⁹¹¹	\$750 ⁹¹²	Yes ⁹¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹¹⁴	No	No	No	No	Yes, \$125 ⁹¹⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, 180 days ⁹¹⁶ See Notes	Yes ⁹¹⁷	No	No

Notes:

- ❖ License Revocation:
 - if person’s license is suspended or revoked at time of sentencing, 180-day period does not begin until all other suspensions and revocations have been terminated⁹¹⁸

⁹⁰⁷ Iowa Code § 453B.12(2)–(4).

⁹⁰⁸ Iowa Code § 902.9(1)(e).

⁹⁰⁹ Iowa Code § 902.9(1)(e).

⁹¹⁰ See Iowa Code § 907.3.

⁹¹¹ Iowa Code § 902.9(1)(e).

⁹¹² Iowa Code § 902.9(1)(e).

⁹¹³ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁹¹⁴ Iowa Code § 911.1(1).

⁹¹⁵ Iowa Code § 911.3(1).

⁹¹⁶ Iowa Code § 901.5(10)(a)(3); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

⁹¹⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁹¹⁸ Iowa Code § 901.5(10)(b); but see 2018 Iowa Acts ch. 1172, §§ 102 (which eliminated subsection 10), 104 (noting action is required from the governor and the general assembly before this Act takes effect), effective 7/1/2018, with exceptions noted.

CH. [462A](#) OPERATING BOAT WHILE INTOXICATED

[§ 462A.14](#)—Operating a Motorboat or Sailboat While Intoxicated

[§ 462A.14\(2\)\(a\)](#)—First offense

Class = serious misdemeanor⁹¹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁹²⁰	48 hours ⁹²¹	N/A	<p>Yes,⁹²² except:</p> <ul style="list-style-type: none"> ❖ not eligible if any of the following apply: <ul style="list-style-type: none"> ➢ BAC > .15⁹²³ ➢ prior conviction of § 462A.14(1) or substantially corresponding statute in another state⁹²⁴ ➢ previous DJ or DS for violation of § 462A.14(1) or substantially corresponding statute in another state⁹²⁵ ➢ refused to consent to testing in accordance with § 462A.14A⁹²⁶ ➢ offense results in bodily injury to person other than offender⁹²⁷ ❖ cannot suspend mandatory minimum sentence⁹²⁸ <p>See Notes</p>

❖ Court may accommodate person's work schedule in ordering service of the sentence, at the court's discretion⁹²⁹

Fines

Max.	Min.	Can Suspend?
\$1000 ⁹³⁰	\$1000 ⁹³¹	No ⁹³² Court may waive up to \$500 of the fine if no personal or property injury resulted ⁹³³ Alternative to some or all of the fine: ❖ Court may order person to perform unpaid community service ⁹³⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹³⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	No	No	No

⁹¹⁹ Iowa Code § [462A.14](#)(2)(a).

⁹²⁰ Iowa Code § [903.1](#)(1)(b).

⁹²¹ Iowa Code § [462A.14](#)(2)(a)(1).

⁹²² See Iowa Code § [462A.14](#)(3)(a).

⁹²³ Iowa Code § [462A.14](#)(3)(a)(1).

⁹²⁴ Iowa Code § [462A.14](#)(3)(a)(2).

⁹²⁵ Iowa Code § [462A.14](#)(3)(a)(3).

⁹²⁶ Iowa Code § [462A.14](#)(3)(a)(4).

⁹²⁷ Iowa Code § [462A.14](#)(3)(a)(5).

⁹²⁸ Iowa Code § [907.3](#)(3)(f).

⁹²⁹ Iowa Code § [462A.14](#)(2)(a)(1).

⁹³⁰ Iowa Code § [462A.14](#)(2)(a)(2).

⁹³¹ Iowa Code § [462A.14](#)(2)(a)(2).

⁹³² Iowa Code § [907.3](#)(3)(f).

⁹³³ Iowa Code § [462A.14](#)(2)(a)(2).

⁹³⁴ Iowa Code § [462A.14](#)(2)(a)(2).

⁹³⁵ Iowa Code § [911.1](#)(1).

Notes:

- ❖ DJ, DS, or SS Eligible:
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁹³⁶
 - report to probation officer with proof of attendance at treatment or posttreatment program⁹³⁷
- ❖ License Revocation:
 - Prohibited from operating a motorboat or sailboat for one year, pursuant to court order⁹³⁸
- ❖ Additional Penalties:
 - Substance abuse evaluation and treatment, and a course for drinking drivers⁹³⁹
 - At person's expense⁹⁴⁰
 - Person to follow recommendations proposed in substance abuse evaluation⁹⁴¹
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁹⁴²
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁹⁴³
 - If person fails to comply:⁹⁴⁴
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work, *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court

⁹³⁶ Iowa Code § [462A.14](#)(12)(h).

⁹³⁷ Iowa Code § [462A.14](#)(12)(h).

⁹³⁸ Iowa Code § [462A.14](#)(2)(a)(3).

⁹³⁹ Iowa Code § [462A.14](#)(2)(a)(4).

⁹⁴⁰ Iowa Code § [462A.14](#)(12)(a).

⁹⁴¹ Iowa Code § [462A.14](#)(12)(b).

⁹⁴² Iowa Code § [462A.14](#)(12)(d).

⁹⁴³ Iowa Code § [462A.14](#)(12)(e).

⁹⁴⁴ Iowa Code § [462A.14](#)(12)(g).

§ 462A.14(2)(b)—Second offense

- ❖ In determining if violation is second offense:
 - Previous offenses include:
 - any conviction under § [462A.14](#) within previous 12 years⁹⁴⁵
 - DJ for violations of § [462A.14](#) entered per § [907.3](#)⁹⁴⁶
 - Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state⁹⁴⁷
 - Court shall take judicial notice of these statutes⁹⁴⁸
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense⁹⁴⁹

Class = aggravated misdemeanor⁹⁵⁰

Prison/Jail Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁹⁵¹	7 days, ⁹⁵² see Notes	N/A	Not eligible for DJ ⁹⁵³ or DS ⁹⁵⁴ SS eligible, except cannot suspend mandatory minimum sentence ⁹⁵⁵ See Notes

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁹⁵⁶

Fines

Max	Min.	Can Suspend?
\$5000 ⁹⁵⁷	\$1500 ⁹⁵⁸	No ⁹⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹⁶⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes ⁹⁶¹	No	No

Notes:

⁹⁴⁵ Iowa Code § [462A.14](#)(4)(a).

⁹⁴⁶ Iowa Code § [462A.14](#)(4)(b).

⁹⁴⁷ Iowa Code § [462A.14](#)(4)(c).

⁹⁴⁸ Iowa Code § [462A.14](#)(4)(c).

⁹⁴⁹ Iowa Code § [462A.14](#)(4)(c).

⁹⁵⁰ Iowa Code § [462A.14](#)(2)(b).

⁹⁵¹ Iowa Code § [903.1](#)(2); *see also id.* § [903.1](#)(2). Author's Note: Although classified a aggravated misdemeanor, this section does not specify the time for commitment to the director of DOC.

⁹⁵² Iowa Code § [462A.14](#)(2)(b)(1).

⁹⁵³ Iowa Code § [462A.14](#)(3)(a)(2), (3).

⁹⁵⁴ Iowa Code § [462A.14](#)(3)(a)(2), (3).

⁹⁵⁵ Iowa Code § [462A.14](#)(3)(a)(2), (3); *accord id.* § [907.3](#)(3)(f).

⁹⁵⁶ Iowa Code § [903.1](#)(2).

⁹⁵⁷ Iowa Code § [462A.14](#)(2)(b)(2).

⁹⁵⁸ Iowa Code § [462A.14](#)(2)(b)(2).

⁹⁵⁹ *See* Iowa Code § [462A.14](#)(3)(a).

⁹⁶⁰ Iowa Code § [911.1](#)(1).

⁹⁶¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

- ❖ Min. Jail/Prison Time:
 - minimum term of imprisonment must be served on consecutive days⁹⁶²
 - Exception:⁹⁶³
 - May order person to serve the minimum term in segments of at least 48 hours and to perform a specified number of unpaid community service hours if sentencing court finds:
 - ◆ service of full minimum term on consecutive days would be an undue hardship on person, *or*
 - ◆ sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing
- ❖ SS Eligible:
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁹⁶⁴
 - report to probation officer with proof of attendance at treatment or posttreatment program⁹⁶⁵
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for two years⁹⁶⁶
- ❖ Additional Penalties:
 - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency⁹⁶⁷
 - Time for treatment is credited against person's sentence⁹⁶⁸
 - Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁹⁶⁹
 - Substance abuse evaluation and treatment, and course for drinking drivers⁹⁷⁰
 - At person's expense⁹⁷¹
 - Person to follow recommendations proposed in substance abuse evaluation⁹⁷²
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs⁹⁷³
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation⁹⁷⁴
 - If person fails to comply:⁹⁷⁵
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work, *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court

⁹⁶² Iowa Code § [462A.14](#)(3)(b).

⁹⁶³ Iowa Code § [462A.14](#)(3)(b).

⁹⁶⁴ Iowa Code § [462A.14](#)(12)(h).

⁹⁶⁵ Iowa Code § [462A.14](#)(12)(h).

⁹⁶⁶ Iowa Code § [462A.14](#)(2)(b)(3).

⁹⁶⁷ Iowa Code § [462A.14](#)(13)(a).

⁹⁶⁸ Iowa Code § [462A.14](#)(13)(a).

⁹⁶⁹ Iowa Code § [462A.14](#)(13)(b).

⁹⁷⁰ Iowa Code § [462A.14](#)(2)(b)(4).

⁹⁷¹ Iowa Code § [462A.14](#)(12)(a).

⁹⁷² Iowa Code § [462A.14](#)(12)(b).

⁹⁷³ Iowa Code § [462A.14](#)(12)(d).

⁹⁷⁴ Iowa Code § [462A.14](#)(12)(e).

⁹⁷⁵ Iowa Code § [462A.14](#)(12)(g) (201).

§ 462A.14(2)(c)—Third and each subsequent offense

- ❖ In determining if violation is second offense:
 - Previous offenses include:
 - any conviction under § [462A.14](#) within previous 12 years⁹⁷⁶
 - DJ for violations of § [462A.14](#) entered per § [907.3](#)⁹⁷⁷
 - Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state⁹⁷⁸
 - Court shall take judicial notice of these statutes⁹⁷⁹
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense⁹⁸⁰

Class = “D” felony⁹⁸¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year if jail, 5 years if committed to DOC, ⁹⁸² see Notes	30 days, ⁹⁸³ see Notes	N/A, but see Enhancements	Not eligible for DJ ⁹⁸⁴ or DS ⁹⁸⁵ SS eligible, except cannot suspend mandatory minimum sentence ⁹⁸⁶ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ⁹⁸⁷	\$2500 ⁹⁸⁸	No ⁹⁸⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁹⁹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
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⁹⁷⁶ Iowa Code § [462A.14](#)(4)(a).

⁹⁷⁷ Iowa Code § [462A.14](#)(4)(b).

⁹⁷⁸ Iowa Code § [462A.14](#)(4)(c).

⁹⁷⁹ Iowa Code § [462A.14](#)(4)(c).

⁹⁸⁰ Iowa Code § [462A.14](#)(4)(c).

⁹⁸¹ Iowa Code § [462A.14](#)(2)(c).

⁹⁸² Iowa Code § [462A.14](#)(2)(c)(1); *see also id.* § [902.9](#)(e). Author’s Note: Although classified a “D” felony, this section does not specify the time for commitment to the director of DOC.

⁹⁸³ Iowa Code § [462A.14](#)(2)(c)(1).

⁹⁸⁴ Iowa Code § [462A.14](#)(3)(a)(2), (3).

⁹⁸⁵ Iowa Code § [462A.14](#)(3)(a)(2), (3).

⁹⁸⁶ Iowa Code § [462A.14](#)(3)(a)(2), (3); *accord id.* § [907.3](#)(3)(f).

⁹⁸⁷ Iowa Code § [462A.14](#)(2)(c)(2).

⁹⁸⁸ Iowa Code § [462A.14](#)(2)(c)(2).

⁹⁸⁹ *See* Iowa Code § [462A.14](#)(3)(a).

⁹⁹⁰ Iowa Code § [911.1](#)(1).

N/A, but see Notes	Yes ⁹⁹¹	No	No
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Notes:

- ❖ Max. & Min. Jail/Prison Time:
 - sentence is a determinate sentence⁹⁹²
 - person may be committed to:
 - the custody of the director of the department of corrections, who shall assign person to a facility per § 904.513,⁹⁹³ or
 - treatment in the community under § 907.13⁹⁹⁴
 - minimum term of imprisonment must be served on consecutive days⁹⁹⁵
 - Exception:⁹⁹⁶
 - May order person to serve the minimum term in segments of at least 48 hours and to perform a specified number of unpaid community service hours if sentencing court finds:
 - ◆ service of full minimum term on consecutive days would be an undue hardship on person, *or*
 - ◆ sufficient jail space is not available and is not reasonably expected to become available within 4 months after sentencing
- ❖ SS Eligible:
 - Required conditions (in addition to any other condition of probation):
 - attend program providing substance abuse prevention services or posttreatment services⁹⁹⁷
 - report to probation officer with proof of attendance at treatment or posttreatment program⁹⁹⁸
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for six years⁹⁹⁹
- ❖ Additional Penalties:
 - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency¹⁰⁰⁰
 - Time for treatment is credited against person's sentence¹⁰⁰¹
 - Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰⁰²
 - Substance abuse evaluation and treatment, and course for drinking drivers¹⁰⁰³
 - At person's expense¹⁰⁰⁴
 - Person to follow recommendations proposed in substance abuse evaluation¹⁰⁰⁵
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰⁰⁶

⁹⁹¹ Iowa Code §§ 81.2(1), [901.5](#)(8A)(a).

⁹⁹² Iowa Code § [462A.14](#)(2)(c)(1).

⁹⁹³ Iowa Code § [462A.14](#)(2)(c)(1).

⁹⁹⁴ Iowa Code § [462A.14](#)(2)(c)(1).

⁹⁹⁵ Iowa Code § [462A.14](#)(3)(b).

⁹⁹⁶ Iowa Code § [462A.14](#)(3)(b).

⁹⁹⁷ Iowa Code § [462A.14](#)(12)(h).

⁹⁹⁸ Iowa Code § [462A.14](#)(12)(h).

⁹⁹⁹ Iowa Code § [462A.14](#)(2)(c)(3).

¹⁰⁰⁰ Iowa Code § [462A.14](#)(13)(a).

¹⁰⁰¹ Iowa Code § [462A.14](#)(13)(a).

¹⁰⁰² Iowa Code § [462A.14](#)(13)(b).

¹⁰⁰³ Iowa Code § [462A.14](#)(2)(c)(4).

¹⁰⁰⁴ Iowa Code § [462A.14](#)(12)(a).

¹⁰⁰⁵ Iowa Code § [462A.14](#)(12)(b).

¹⁰⁰⁶ Iowa Code § [462A.14](#)(12)(d).

- Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation¹⁰⁰⁷
- If person fails to comply:¹⁰⁰⁸
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work, *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court

¹⁰⁰⁷ Iowa Code § [462A.14](#)(12)(e).

¹⁰⁰⁸ Iowa Code § [462A.14](#)(12)(g).

§ 462A.14(2)(d)—Resulting in serious injury to persons other than offender

- ❖ court must determine that the person who committed the offense caused the serious injury¹⁰⁰⁹

Class = “D” felony¹⁰¹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years, ¹⁰¹¹ see Notes	30 days, ¹⁰¹² see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ ¹⁰¹³ or DS ¹⁰¹⁴ SS eligible, except cannot suspend mandatory minimum sentence ¹⁰¹⁵ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁰¹⁶	\$2500 ¹⁰¹⁷	No ¹⁰¹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁰¹⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes ¹⁰²⁰	No	No

Notes:

- ❖ Max. & Min. Jail/Prison Time:
 - sentence is a determinate sentence¹⁰²¹
 - alternatively, person may be committed to the custody of the director of the department of corrections¹⁰²²
 - if so assigned, director shall assign person to facility per § 904.513¹⁰²³
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for one year in addition to any other period of prohibition imposed¹⁰²⁴
- ❖ Additional Penalties:
 - If second or subsequent offense:

¹⁰⁰⁹ Iowa Code § [462A.14](#)(2)(d).

¹⁰¹⁰ Iowa Code § [462A.14](#)(2)(d).

¹⁰¹¹ Iowa Code § [462A.14](#)(2)(d).

¹⁰¹² Iowa Code § [462A.14](#)(2)(d).

¹⁰¹³ See Iowa Code § [462A.14](#)(3)(a)(5).

¹⁰¹⁴ See Iowa Code § [462A.14](#)(3)(a)(5).

¹⁰¹⁵ See Iowa Code § [462A.14](#)(3)(a); see also id. § [907.3](#)(3)(f).

¹⁰¹⁶ Iowa Code § [462A.14](#)(2)(d).

¹⁰¹⁷ Iowa Code § [462A.14](#)(2)(d).

¹⁰¹⁸ See Iowa Code § [462A.14](#)(3)(a)(5).

¹⁰¹⁹ Iowa Code § [911.1](#)(1).

¹⁰²⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁰²¹ Iowa Code § [462A.14](#)(2)(d).

¹⁰²² Iowa Code § [462A.14](#)(2)(d).

¹⁰²³ Iowa Code § [462A.14](#)(2)(d).

¹⁰²⁴ Iowa Code § [462A.14](#)(2)(d).

- Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency¹⁰²⁵
 - Time for treatment is credited against person's sentence¹⁰²⁶
 - Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰²⁷
- In determining if violation is second or subsequent offense:
 - Previous offenses include:
 - ◆ any conviction under § [462A.14](#) within previous 12 years¹⁰²⁸
 - ◆ DJ for violations of § [462A.14](#) entered per § [907.3](#)¹⁰²⁹
 - ◆ Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state¹⁰³⁰
 - Court shall take judicial notice of these statutes¹⁰³¹
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense¹⁰³²
- Substance abuse evaluation and treatment, and course for drinking drivers¹⁰³³
 - At person's expense¹⁰³⁴
 - Person to follow recommendations proposed in substance abuse evaluation¹⁰³⁵
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰³⁶
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation¹⁰³⁷
 - If person fails to comply:¹⁰³⁸
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work, *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court

¹⁰²⁵ Iowa Code § [462A.14](#)(13)(a).

¹⁰²⁶ Iowa Code § [462A.14](#)(13)(a).

¹⁰²⁷ Iowa Code § [462A.14](#)(13)(b).

¹⁰²⁸ Iowa Code § [462A.14](#)(4)(a).

¹⁰²⁹ Iowa Code § [462A.14](#)(4)(b).

¹⁰³⁰ Iowa Code § [462A.14](#)(4)(c).

¹⁰³¹ Iowa Code § [462A.14](#)(4)(c).

¹⁰³² Iowa Code § [462A.14](#)(4)(c).

¹⁰³³ Iowa Code § [462A.14](#)(2)(d).

¹⁰³⁴ Iowa Code § [462A.14](#)(12)(a).

¹⁰³⁵ Iowa Code § [462A.14](#)(12)(b).

¹⁰³⁶ Iowa Code § [462A.14](#)(12)(d).

¹⁰³⁷ Iowa Code § [462A.14](#)(12)(e).

¹⁰³⁸ Iowa Code § [462A.14](#)(12)(g).

§ 462A.14(2)(e)—Resulting in death to persons other than offender

- ❖ Court must determine that the person who committed the offense caused the death¹⁰³⁹

Class = “B” felony¹⁰⁴⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years, ¹⁰⁴¹ see Notes	0, ¹⁰⁴² see Notes	N/A if jail 30 days if prison, but see Enhancements	Not eligible for DJ ¹⁰⁴³ or DS ¹⁰⁴⁴ SS eligible, except cannot suspend mandatory minimum sentence ¹⁰⁴⁵ See Notes

Fines

Max.	Min.	Can Suspend?
0 ¹⁰⁴⁶	0 ¹⁰⁴⁷	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
N/A, but see Notes	Yes ¹⁰⁴⁸	No	No

Notes:

- ❖ Max. & Min. Jail/Prison Time:
 - sentence is a determinate sentence¹⁰⁴⁹
 - alternatively, person may be committed to the custody of the director of the department of corrections¹⁰⁵⁰
 - if so assigned, director shall assign person to facility per § 904.513¹⁰⁵¹
- ❖ License Revocation:
 - Prohibited from operating motorboat or sailboat for six years¹⁰⁵²
- ❖ Additional Penalties:
 - If second or subsequent offense:
 - Court may upon hearing commit person for inpatient treatment of alcoholism or drug addiction or dependency¹⁰⁵³

¹⁰³⁹ Iowa Code § [462A.14](#)(2)(e).

¹⁰⁴⁰ Iowa Code § [462A.14](#)(2)(e).

¹⁰⁴¹ Iowa Code § [462A.14](#)(2)(d).

¹⁰⁴² See Iowa Code § [462A.14](#)(2)(d).

¹⁰⁴³ See Iowa Code § [462A.14](#)(3)(a)(5).

¹⁰⁴⁴ See Iowa Code § [462A.14](#)(3)(a)(5).

¹⁰⁴⁵ See Iowa Code § [462A.14](#)(3)(a); see also id. § [907.3](#)(3)(f).

¹⁰⁴⁶ See Iowa Code § [902.9](#)(1)(b).

¹⁰⁴⁷ See Iowa Code § [902.9](#)(1)(b).

¹⁰⁴⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a)

¹⁰⁴⁹ Iowa Code § [462A.14](#)(2)(e).

¹⁰⁵⁰ Iowa Code § [462A.14](#)(2)(e).

¹⁰⁵¹ Iowa Code § [462A.14](#)(2)(e).

¹⁰⁵² Iowa Code § [462A.14](#)(2)(e).

¹⁰⁵³ Iowa Code § [462A.14](#)(13)(a).

- Time for treatment is credited against person's sentence¹⁰⁵⁴
- Court may prescribe length of time for evaluation and treatment *or* may request hospital where person is committed report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰⁵⁵
- In determining if violation is second or subsequent offense:
 - Previous offenses include:
 - ◆ any conviction under § [462A.14](#) within previous 12 years¹⁰⁵⁶
 - ◆ DJ for violations of § [462A.14](#) entered per § [907.3](#)¹⁰⁵⁷
 - ◆ Convictions or the equivalent of DJ for violations of substantially corresponding statutes from any other state¹⁰⁵⁸
 - Court shall take judicial notice of these statutes¹⁰⁵⁹
 - Each previous conviction or DJ entered prior to the date the instant violation was charged shall count as a separate offense¹⁰⁶⁰
- Substance abuse evaluation and treatment, and course for drinking drivers¹⁰⁶¹
 - At person's expense¹⁰⁶²
 - Person to follow recommendations proposed in substance abuse evaluation¹⁰⁶³
 - Court may prescribe length of time for evaluation and treatment *or* may request provider of course or treatment program to report to court when person has received maximum benefits or has recovered from addiction, dependency, or tendency to chronically abuse alcohol or drugs¹⁰⁶⁴
 - Upon successful completion, court may order probation for 6 months and require posttreatment services substance abuse program as a condition of probation¹⁰⁶⁵
 - If person fails to comply:¹⁰⁶⁶
 - Shall be incarcerated in county jail for 20 days in addition to any other imprisonment ordered by the court *or* may be ordered to perform unpaid community service work, *and*
 - Shall be placed on probation for one year where violation of this probation is punishable as contempt of court

¹⁰⁵⁴ Iowa Code § [462A.14](#)(13)(a).

¹⁰⁵⁵ Iowa Code § [462A.14](#)(13)(b).

¹⁰⁵⁶ Iowa Code § [462A.14](#)(4)(a).

¹⁰⁵⁷ Iowa Code § [462A.14](#)(4)(b).

¹⁰⁵⁸ Iowa Code § [462A.14](#)(4)(c).

¹⁰⁵⁹ Iowa Code § [462A.14](#)(4)(c).

¹⁰⁶⁰ Iowa Code § [462A.14](#)(4)(c).

¹⁰⁶¹ Iowa Code § [462A.14](#)(2)(e).

¹⁰⁶² Iowa Code § [462A.14](#)(12)(a).

¹⁰⁶³ Iowa Code § [462A.14](#)(12)(b).

¹⁰⁶⁴ Iowa Code § [462A.14](#)(12)(d).

¹⁰⁶⁵ Iowa Code § [462A.14](#)(12)(e).

¹⁰⁶⁶ Iowa Code § [462A.14](#)(12)(g).

Chapters 600–699

Ch. 664A No-Contact Orders & Protective Orders

§ 664A.7—Violation of No-Contact or Protective Order

§ 664A.7(3)—Convicted of or Held in contempt of no-contact order from § 664A.2(1) or issued during contempt proceeding brought per § 236.11 (See Authors' Note below)

Class = n/a¹⁰⁶⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
6 months ¹⁰⁶⁸	7 days ¹⁰⁶⁹	N/A	No ¹⁰⁷⁰ and cannot suspend 7-day min. ¹⁰⁷¹

❖ 7-day minimum shall be served on consecutive days¹⁰⁷²

Fines

Max.	Min.	Can Suspend?
\$500 ¹⁰⁷³	0 ¹⁰⁷⁴	No ¹⁰⁷⁵

❖ Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence¹⁰⁷⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁰⁷⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

AUTHORS' NOTE: The alternatives and cross references make section 664A.7 confusing. This section, 664A.7(3), provides alternative remedies for a violation of a no-contact order or a modified no-contact order for a public offense referred to in section 664A.2(1): conviction or contempt. Section 664A.2(1) applies to no-contact orders in section 708.2A, 708.7, 708.11, 709.2–4, and to any other public offense victim. Section 664A.7(5) identifies a public offense punishable as a simple misdemeanor for specified violations of a no-contact order for an offense or alleged offense of domestic abuse in violation of section 708.2A or a protective order issued pursuant to chapter 232, 235F, 236, 236A, 598, or 915. We have not found authority for classification of a public offense for the sections listed in section 664A.2(1) that are not listed in section 664A.7(5). Contempt may be the only remedy for those violations, but the authors remain uncertain. Further, there appears to conflict or overlap that remains unresolved between section 664A.7, subparagraphs (3)–(5). Only one set of punishment is applicable to an offense: simple misdemeanor consequences as enhanced or limited by section 664A.7 or contempt as enhanced or limited by section 664A.7.

¹⁰⁶⁷ See Iowa Code § 664A.7(3).

¹⁰⁶⁸ Iowa Code §§ 664A.7(5), 665.4(2).

¹⁰⁶⁹ Iowa Code § 664A.7(3).

¹⁰⁷⁰ Iowa Code § 664A.7(3); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹⁰⁷¹ Iowa Code § 664A.7(3).

¹⁰⁷² Iowa Code § 664A.7(3).

¹⁰⁷³ Iowa Code § 665.4(2).

¹⁰⁷⁴ See Iowa Code §§ 664A.7(3), 665.4.

¹⁰⁷⁵ Iowa Code § 664A.7(3); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹⁰⁷⁶ Iowa Code § 664A.7(3).

¹⁰⁷⁷ Iowa Code § 911.1(1).

§ 664A.7(4)—Convicted of or held in contempt for violation of civil protective order from § 664A.2(1) (See Authors' Note to section 664A.7(3))

Class = n/a¹⁰⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days simple ¹⁰⁷⁹ 6 mo. contempt ¹⁰⁸⁰	None ¹⁰⁸¹	N/A	No ¹⁰⁸²

- ❖ Any jail sentence imposed per § 664A.7(4) shall be served on consecutive days¹⁰⁸³

Fines

Max.	Min.	Can Suspend?
\$625 simple ¹⁰⁸⁴ \$500 contempt ¹⁰⁸⁵	\$65 simple 0 contempt ¹⁰⁸⁶	No ¹⁰⁸⁷

- ❖ Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence¹⁰⁸⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁰⁸⁹	No	No	No	Maybe, see Notes	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

- ❖ DA Prot. Order Contempt Surcharge:
 - applies to person “held in contempt of court for violating a domestic abuse protective order issued pursuant to chapter 236”¹⁰⁹⁰
 - if applicable, surcharge is \$50¹⁰⁹¹

¹⁰⁷⁸ See Iowa Code § 664A.7(4).

¹⁰⁷⁹ Iowa Code §§ 664A.7(5)(for specified violations), 903.1(a).

¹⁰⁸⁰ Iowa Code §§ 664A.7(5), 665.4(2).

¹⁰⁸¹ Iowa Code § 664A.7(4).

¹⁰⁸² Iowa Code § 664A.7(3); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹⁰⁸³ Iowa Code § 664A.7(4).

¹⁰⁸⁴ Iowa Code § 907.3 (1)(a).

¹⁰⁸⁵ Iowa Code § 665.4(2).

¹⁰⁸⁶ See Iowa Code §§ 907.3(1)(a), 664A.7(4), 665.4.

¹⁰⁸⁷ Iowa Code § 664A.7(3); *accord id.* § 907.3(1)(a)(8), (2)(a)(4), (3)(b).

¹⁰⁸⁸ Iowa Code § 664A.7(3).

¹⁰⁸⁹ Iowa Code § 911.1(1).

¹⁰⁹⁰ Iowa Code § 911.2C(1).

¹⁰⁹¹ Iowa Code § 911.2C(1).

§ 664A.7(5)—Violation of no-contact entered for DAA in § 708.2A or protective order issued per chapters 232, 235F, 236, 236A, 598, or 915 (See Authors' Note to section 664A.7(3))¹⁰⁹²

Class = simple misdemeanor¹⁰⁹³

- ❖ Alternative: may hold person in contempt and punish per § 664A.7(3), *see supra*

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁰⁹⁴	7 days ¹⁰⁹⁵	N/A	No ¹⁰⁹⁶

- ❖ 7-day minimum shall be served on consecutive days¹⁰⁹⁷

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁰⁹⁸	\$65 ¹⁰⁹⁹	No ¹¹⁰⁰

- ❖ Fine may be imposed in addition to minimum sentence but shall not be imposed in lieu of minimum sentence¹¹⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁰²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

¹⁰⁹² Iowa Code § 664A.7(5).

¹⁰⁹³ Iowa Code § 664A.7(5).

¹⁰⁹⁴ Iowa Code § 903.1(1)(a).

¹⁰⁹⁵ Iowa Code § 664A.7(3).

¹⁰⁹⁶ Iowa Code § 664A.7(3).

¹⁰⁹⁷ Iowa Code § 664A.7(3).

¹⁰⁹⁸ Iowa Code § 903.1(1)(a).

¹⁰⁹⁹ Iowa Code § 903.1(1)(a).

¹¹⁰⁰ Iowa Code § 903.1(1).

¹¹⁰¹ Iowa Code § 664A.7(3).

¹¹⁰² Iowa Code § 911.1(1).

Ch. 692A Sex Offender Registry

§ 692A.111(1)—Failure to register

First Offense

Class = aggravated misdemeanor¹¹⁰³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹¹⁰⁴	0 ¹¹⁰⁵	None	SS eligible, ¹¹⁰⁶ but see Under 18 Sentencing

❖ if sentence of confinement is more than one year, term shall be an indeterminate term¹¹⁰⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ¹¹⁰⁸	\$625 ¹¹⁰⁹	Yes ¹¹¹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹¹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹¹²	No	No

Notes:

¹¹⁰³ Iowa Code § [692A.111](#)(1).

¹¹⁰⁴ Iowa Code § [903.1](#)(2).

¹¹⁰⁵ Iowa Code § [903.1](#)(2).

¹¹⁰⁶ Iowa Code § [692A.111](#)(1); *see id.* § [907.3](#)(1)(a)(9), (2)(a)(5).

¹¹⁰⁷ Iowa Code § [903.1](#)(2).

¹¹⁰⁸ Iowa Code § [903.1](#)(2).

¹¹⁰⁹ Iowa Code § [903.1](#)(2).

¹¹¹⁰ *See* Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹¹¹ Iowa Code § [911.1](#)(1).

¹¹¹² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

Second or Subsequent Offense

❖ In determining if violation is second offense:

➤ Previous offenses include:

- Violations of sex offender registry provisions, from any other jurisdiction, that are substantially similar to those in § [692A.111](#)¹¹¹³
- the court shall take judicial notice of these statutes¹¹¹⁴
- any violation of chapter [692A](#) prior to July 1, 2009¹¹¹⁵

Class = “D” felony¹¹¹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹¹¹⁷	0 ¹¹¹⁸	No, but see Enhancements	SS eligible, ¹¹¹⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹¹²⁰	\$750 ¹¹²¹	No ¹¹²²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹²⁴	No	No

Notes:

¹¹¹³ Iowa Code § [692A.111](#)(2).

¹¹¹⁴ Iowa Code § [692A.111](#)(2).

¹¹¹⁵ Iowa Code § [692A.111](#)(3).

¹¹¹⁶ Iowa Code § [692A.111](#)(1).

¹¹¹⁷ Iowa Code § [902.9](#)(1)(e).

¹¹¹⁸ Iowa Code § [902.9](#)(1)(e).

¹¹¹⁹ Iowa Code § [692A.111](#)(1); *see id.* § [907.3](#)(1)(a)(9), (2)(a)(5).

¹¹²⁰ Iowa Code § [902.9](#)(1)(e).

¹¹²¹ Iowa Code § [902.9](#)(1)(e).

¹¹²² Iowa Code § [692A.111](#)(1).

¹¹²³ Iowa Code § [911.1](#)(1).

¹¹²⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

Sex offender convicted of specified offenses committed while violating registration requirementsClass = "C" felony¹¹²⁵**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹¹²⁶	0 ¹¹²⁷	No, but see Enhancements	SS eligible, ¹¹²⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹¹²⁹	\$1000 ¹¹³⁰	Yes ¹¹³¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹³²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹³³	No	No

Notes:¹¹²⁵ Iowa Code § [692A.111](#)(1).¹¹²⁶ Iowa Code § [902.9](#)(1)(d).¹¹²⁷ Iowa Code § [902.9](#)(1)(d).¹¹²⁸ Iowa Code § [692A.111](#)(1); *see id.* § [907.3](#)(1)(a)(9), (2)(a)(5).¹¹²⁹ Iowa Code § [902.9](#)(1)(d).¹¹³⁰ Iowa Code § [902.9](#)(1)(d).¹¹³¹ Iowa Code § [692A.111](#)(1).¹¹³² Iowa Code § [911.1](#)(1).¹¹³³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

Chapters 700–end

CH. 705 SOLICITATION

§ 705.1(2)—*Solicitation of a felony*

Class = “D” felony¹¹³⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹¹³⁵	0 ¹¹³⁶	No, but see Enhancements	Yes ¹¹³⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ¹¹³⁸	\$750 ¹¹³⁹	Yes ¹¹⁴⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁴¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁴²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if solicitation offense involved any of the following:
 - solicitation of minor to engage in an illegal sex act under § 705.1¹¹⁴³
 - solicitation of minor to engage in an illegal act under § 709.8(1)(d)¹¹⁴⁴
 - solicitation of minor to engage in an illegal act under § 709.12¹¹⁴⁵
 - solicitation of minor to engage in an illegal act under § 725.3(2)¹¹⁴⁶
 - If yes, the offender shall be assessed a civil penalty of \$250¹¹⁴⁷

¹¹³⁴ Iowa Code § 705.1(2).

¹¹³⁵ Iowa Code § 902.9(1)(e).

¹¹³⁶ Iowa Code § 902.9(1)(e).

¹¹³⁷ See Iowa Code § 907.3 .

¹¹³⁸ Iowa Code § 902.9(1)(e).

¹¹³⁹ Iowa Code § 902.9(1)(e).

¹¹⁴⁰ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹⁴¹ Iowa Code § 911.1(1).

¹¹⁴² Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹¹⁴³ Iowa Code § 692A.102(1)(b)(2).

¹¹⁴⁴ Iowa Code § 692A.102(1)(b)(3).

¹¹⁴⁵ Iowa Code § 692A.102(1)(b)(4).

¹¹⁴⁶ Iowa Code § 692A.102(1)(b)(16).

¹¹⁴⁷ Iowa Code § 692A.110.

§ 705.1(3)—Solicitation of an aggravated misdemeanor

Class = aggravated misdemeanor¹¹⁴⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹¹⁴⁹	0 ¹¹⁵⁰	None	Yes ¹¹⁵¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹¹⁵²

Fines

Max.	Min.	Can Suspend?
\$6250 ¹¹⁵³	\$625 ¹¹⁵⁴	Yes ¹¹⁵⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁵⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁵⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if solicitation offense involved any of the following:

- solicitation of minor to engage in an illegal sex act under § 705.1¹¹⁵⁸
- solicitation of minor to engage in an illegal act under § 709.8(1)(d)¹¹⁵⁹
- solicitation of minor to engage in an illegal act under § 709.12¹¹⁶⁰
- solicitation of minor to engage in an illegal act under § 725.3(2)¹¹⁶¹
- If yes, the offender shall be assessed a civil penalty of \$250¹¹⁶²

¹¹⁴⁸ Iowa Code § 705.1(2).

¹¹⁴⁹ Iowa Code § 903.1(2).

¹¹⁵⁰ Iowa Code § 903.1(2).

¹¹⁵¹ See Iowa Code § 907.3.

¹¹⁵² Iowa Code § 903.1(2).

¹¹⁵³ Iowa Code § 903.1(2).

¹¹⁵⁴ Iowa Code § 903.1(2).

¹¹⁵⁵ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹⁵⁶ Iowa Code § 911.1(1).

¹¹⁵⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹¹⁵⁸ Iowa Code § 692A.102(1)(b)(2).

¹¹⁵⁹ Iowa Code § 692A.102(1)(b)(3).

¹¹⁶⁰ Iowa Code § 692A.102(1)(b)(4).

¹¹⁶¹ Iowa Code § 692A.102(1)(b)(16).

¹¹⁶² Iowa Code § 692A.110.

CH. 706 CONSPIRACY

§ 706.3(1)—*To commit forcible felony*

Class = “C” felony¹¹⁶³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹¹⁶⁴	0 ¹¹⁶⁵	No, but see Enhancements	Yes ¹¹⁶⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹¹⁶⁷	\$1000 ¹¹⁶⁸	Yes ¹¹⁶⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁷⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁷¹	No	No

Notes:

¹¹⁶³ Iowa Code § [706.3\(1\)](#).

¹¹⁶⁴ Iowa Code § [902.9\(1\)\(d\)](#).

¹¹⁶⁵ Iowa Code § [902.9\(1\)\(d\)](#).

¹¹⁶⁶ See Iowa Code § [907.3](#).

¹¹⁶⁷ Iowa Code § [902.9\(1\)\(d\)](#).

¹¹⁶⁸ Iowa Code § [902.9\(1\)\(d\)](#).

¹¹⁶⁹ See Iowa Code § [902.9\(1\)\(d\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹⁷⁰ Iowa Code § [911.1\(1\)](#).

¹¹⁷¹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 706.3(2)—To commit felony

Class = “D” felony¹¹⁷²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹¹⁷³	0 ¹¹⁷⁴	No, but see Enhancements	Yes ¹¹⁷⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ¹¹⁷⁶	\$750 ¹¹⁷⁷	Yes ¹¹⁷⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁷⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹¹⁸⁰	No	No

Notes:

¹¹⁷² Iowa Code § 706.3(2).

¹¹⁷³ Iowa Code § 902.9(1)(e).

¹¹⁷⁴ Iowa Code § 902.9(1)(e).

¹¹⁷⁵ See Iowa Code § 907.3.

¹¹⁷⁶ Iowa Code § 902.9(1)(e).

¹¹⁷⁷ Iowa Code § 902.9(1)(e).

¹¹⁷⁸ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹⁷⁹ Iowa Code § 911.1(1).

¹¹⁸⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 706.3(3)—To commit misdemeanor

Class = misdemeanor of the same class¹¹⁸¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Simple = 30 days ¹¹⁸²	All = 0 ¹¹⁸⁵	If simple or serious, N/A	Yes ¹¹⁸⁶
Serious = 1 year ¹¹⁸³		If aggravated, none	
Aggravated = 2 years ¹¹⁸⁴			

❖ If sentence of confinement is more than one year, sentence shall be an indeterminate term¹¹⁸⁷

Fines

Max.	Min.	Suspended?
Simple = \$625 ¹¹⁸⁸	Simple = \$65 ¹¹⁹¹	If simple or serious, No ¹¹⁹⁴
Serious = \$1875 ¹¹⁸⁹	Serious = \$315 ¹¹⁹²	If aggravated, Yes ¹¹⁹⁵
Aggravated = \$6250 ¹¹⁹⁰	Aggravated = \$625 ¹¹⁹³	

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹¹⁹⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	If simple or serious, No If aggravated, Yes ¹¹⁹⁷	No	No

Notes:

¹¹⁸¹ Iowa Code § [706.3](#)(3).

¹¹⁸² Iowa Code § [903.1](#)(1)(a).

¹¹⁸³ Iowa Code § [903.1](#)(1)(b).

¹¹⁸⁴ Iowa Code § [903.1](#)(2).

¹¹⁸⁵ Iowa Code § [903.1](#)(1)(a), (b), (2).

¹¹⁸⁶ See Iowa Code § [907.3](#).

¹¹⁸⁷ Iowa Code § [903.1](#)(2).

¹¹⁸⁸ Iowa Code § [903.1](#)(1)(a).

¹¹⁸⁹ Iowa Code § [903.1](#)(1)(b).

¹¹⁹⁰ Iowa Code § [903.1](#)(2).

¹¹⁹¹ Iowa Code § [903.1](#)(1)(a).

¹¹⁹² Iowa Code § [903.1](#)(1)(b).

¹¹⁹³ Iowa Code § [903.1](#)(2).

¹¹⁹⁴ Iowa Code § [903.1](#)(1)(a), (b).

¹¹⁹⁵ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹¹⁹⁶ Iowa Code § [911.1](#)(1).

¹¹⁹⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

CH. 706A ONGOING CRIMINAL CONDUCT

§ 706A.2(1)—*Unlawful activity influenced enterprises*

Class = “B” felony¹¹⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹¹⁹⁹	0 ¹²⁰⁰	No, but see Enhancements	Yes ¹²⁰¹

Fines

Max.	Min.	Can Suspend?
0 ¹²⁰²	0 ¹²⁰³	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁰⁴	No	No

Notes:

¹¹⁹⁸ Iowa Code § [706A.4](#).

¹¹⁹⁹ Iowa Code § [902.9\(1\)\(b\)](#).

¹²⁰⁰ Iowa Code § [902.9\(1\)\(b\)](#).

¹²⁰¹ See Iowa Code § [907.3](#).

¹²⁰² See Iowa Code § [902.9\(1\)\(b\)](#).

¹²⁰³ See Iowa Code § [902.9\(1\)\(b\)](#).

¹²⁰⁴ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 706A.2(2)—Facilitation of criminal network

Class = “B” felony¹²⁰⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹²⁰⁶	0 ¹²⁰⁷	No, but see Enhancements	Yes ¹²⁰⁸

Fines

Max.	Min.	Can Suspend?
0 ¹²⁰⁹	0 ¹²¹⁰	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²¹¹	No	No

Notes:

¹²⁰⁵ Iowa Code § [706A.4](#).

¹²⁰⁶ Iowa Code § [902.9](#)(1)(b).

¹²⁰⁷ Iowa Code § [902.9](#)(1)(b).

¹²⁰⁸ See Iowa Code § [907.3](#).

¹²⁰⁹ See Iowa Code § [902.9](#)(1)(b).

¹²¹⁰ See Iowa Code § [902.9](#)(1)(b).

¹²¹¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 706A.2(4)—Specified unlawful activity

Class = “B” felony¹²¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹²¹³	0 ¹²¹⁴	No, but see Enhancements	Yes ¹²¹⁵

Fines

Max.	Min.	Can Suspend?
0 ¹²¹⁶	0 ¹²¹⁷	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²¹⁸	No	No

Notes:

¹²¹² Iowa Code § [706A.4](#).

¹²¹³ Iowa Code § [902.9\(1\)\(b\)](#).

¹²¹⁴ Iowa Code § [902.9\(1\)\(b\)](#).

¹²¹⁵ See Iowa Code § [907.3](#).

¹²¹⁶ See Iowa Code § [902.9\(1\)\(b\)](#).

¹²¹⁷ See Iowa Code § [902.9\(1\)\(b\)](#).

¹²¹⁸ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

CH. 706B MONEY LAUNDERING

§ 706B.2(1)(a), (b), or (c)—Money laundering (greater offense)

Class = “C” felony¹²¹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years, ¹²²⁰ but see Notes	0 ¹²²¹	No, but see Enhancements	Yes ¹²²²

Fines

Max.	Min.	Can Suspend?
\$10,000 or twice the value of the property involved, whichever is greater ¹²²³ But see Notes	\$1000 ¹²²⁴	Yes ¹²²⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²²⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²²⁷	No	No

Notes:

- ❖ Max. Jail/Prison Time & Max. Fine:
 - The violator “may be fined . . . or be imprisoned . . . or both.”¹²²⁸ The specific provisions of this section supersede the standard sentencing provision of Iowa Code § 902.9(1)(d).

¹²¹⁹ Iowa Code § 706B.2(2)(a).

¹²²⁰ Iowa Code § 706B.2(2)(a).

¹²²¹ Iowa Code § 902.9(1)(d).

¹²²² See Iowa Code § 907.3.

¹²²³ Iowa Code § 706B.2(2)(a).

¹²²⁴ Iowa Code § 902.9(1)(d).

¹²²⁵ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹²²⁶ Iowa Code § 706B.2(4).

¹²²⁷ Iowa Code § 81.2(1), 901.5(8A)(a).

¹²²⁸ Iowa Code § 706B.2(2)(a).

§ 706B.2(1)(d)—Money laundering (lesser offense)

Class = “D” felony¹²²⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²³⁰	0 ¹²³¹	No, but see Enhancements	Yes ¹²³²

Fines

Max.	Min.	Can Suspend?
\$7500 or twice the value of the property involved, whichever is greater ¹²³³	\$750 ¹²³⁴	Yes ¹²³⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²³⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²³⁷	No	No

Notes:

- ❖ Max. Jail/Prison Time & Max. Fine:
 - The violator “may be fined . . . or be imprisoned . . . or both.”¹²³⁸ The specific provisions of this section supersede the standard sentencing provision of Iowa Code § 902.9(1)(d).

¹²²⁹ Iowa Code § [706B.2](#)(2)(b).

¹²³⁰ Iowa Code § [706B.2](#)(2)(b).

¹²³¹ Iowa Code § [902.9](#)(1)(e).

¹²³² See Iowa Code § [907.3](#).

¹²³³ Iowa Code § [706B.2](#)(2)(b).

¹²³⁴ Iowa Code § [902.9](#)(1)(e).

¹²³⁵ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹²³⁶ Iowa Code § [706B.2](#)(4).

¹²³⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹²³⁸ Iowa Code § [706B.2](#)(2)(a).

CH. 707 HOMICIDE AND RELATED OFFENSES

§ 707.2—First-Degree Murder

Class = “A” felony¹²³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life ¹²⁴⁰	Life ¹²⁴¹	Not eligible for parole, but see Under 18 Sentencing ¹²⁴²	No, ¹²⁴³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0	0	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁴⁴	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Defendant must register if:
 - Sexual abuse (as defined in § 709.1) was committed during the violation of § 707.2,¹²⁴⁵ or
 - Fact-finder determined beyond a reasonable doubt that the violation of § 707.2 was sexually motivated per § 692A.126¹²⁴⁶
 - If yes, the offender shall be assessed a civil penalty of \$250¹²⁴⁷

¹²³⁹ Iowa Code § 707.2(2).

¹²⁴⁰ Iowa Code § 902.1(1).

¹²⁴¹ Iowa Code § 902.1(1).

¹²⁴² Iowa Code § 902.1(1).

¹²⁴³ Iowa Code § 902.1(1).

¹²⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹²⁴⁵ Iowa Code § 692A.102(1)(c)(1).

¹²⁴⁶ Iowa Code §§ 692A.102(1)(c)(2), 707.2(3).

¹²⁴⁷ Iowa Code § 692A.110.

§ 707.3—Second-Degree Murder

Class = “B” felony¹²⁴⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ¹²⁴⁹	0 ¹²⁵⁰	Not eligible until has served 70% of max. term of sentence, ¹²⁵¹ but see Under 18 Sentencing See also Enhancements	No, ¹²⁵² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ¹²⁵³	0 ¹²⁵⁴	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁵⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Defendant must register if:
 - Sexual abuse (as defined in § 709.1) was committed during the violation of § 707.2,¹²⁵⁶ or
 - Fact-finder determined beyond a reasonable doubt that the violation of § 707.2 was sexually motivated per § 692A.126¹²⁵⁷
 - If yes, the offender shall be assessed a civil penalty of \$250¹²⁵⁸

¹²⁴⁸ Iowa Code § 707.3(2).

¹²⁴⁹ Iowa Code § 707.3(2).

¹²⁵⁰ Iowa Code § 902.9(1)(b).

¹²⁵¹ Iowa Code § 902.12(1)(e).

¹²⁵² Iowa Code § 907.3; see id. § 702.11(1) (listing “murder” as a forcible felony).

¹²⁵³ Iowa Code § 902.9(1)(b).

¹²⁵⁴ Iowa Code § 902.9(1)(b).

¹²⁵⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹²⁵⁶ Iowa Code § 692A.102(1)(c)(1).

¹²⁵⁷ Iowa Code §§ 692A.102(1)(c)(2), 707.3(3).

¹²⁵⁸ Iowa Code § 692A.110.

§ 707.3A—Solicitation to Commit Murder

Class = “C” felony¹²⁵⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹²⁶⁰	0 ¹²⁶¹	No, but see Enhancements	Yes ¹²⁶²

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹²⁶³	\$1000 ¹²⁶⁴	Yes ¹²⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁶⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁶⁷	No	No

Notes:

¹²⁵⁹ Iowa Code § [707.3A](#)(3).

¹²⁶⁰ Iowa Code § [902.9](#)(1)(d).

¹²⁶¹ Iowa Code § [902.9](#)(1)(d).

¹²⁶² See Iowa Code § [907.3](#).

¹²⁶³ Iowa Code § [902.9](#)(1)(d).

¹²⁶⁴ Iowa Code § [902.9](#)(1)(d).

¹²⁶⁵ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹²⁶⁶ Iowa Code § [911.1](#)(1).

¹²⁶⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 707.4 —Voluntary manslaughter

Class = “C” felony¹²⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹²⁶⁹	0 ¹²⁷⁰	No, but see Enhancements	No, ¹²⁷¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹²⁷²	\$1000 ¹²⁷³	No, ¹²⁷⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁷⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁷⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Defendant must register if:
 - Fact-finder determined beyond a reasonable doubt that the violation of § [707.4](#) was sexually motivated per § [692A.126](#)¹²⁷⁷
 - If yes, the offender shall be assessed a civil penalty of \$250¹²⁷⁸

¹²⁶⁸ Iowa Code § [707.4](#)(2).

¹²⁶⁹ Iowa Code § [902.9](#)(1)(d).

¹²⁷⁰ Iowa Code § [902.9](#)(1)(d).

¹²⁷¹ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1); *State v. Hellwege*, 294 N.W.2d 689, 691 (Iowa 1980) (voluntary manslaughter is a forcible felony because it qualifies as a felonious assault).

¹²⁷² Iowa Code § [902.9](#)(1)(d).

¹²⁷³ Iowa Code § [902.9](#)(1)(d).

¹²⁷⁴ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1); *State v. Hellwege*, 294 N.W.2d 689, 691 (Iowa 1980) (voluntary manslaughter is a forcible felony because it qualifies as a felonious assault).

¹²⁷⁵ Iowa Code § [911.1](#)(1).

¹²⁷⁶ Iowa Code §§ [81.2](#)(1); [901.5](#)(8A)(a).

¹²⁷⁷ Iowa Code §§ [692A.102](#)(1)(c)(3), [707.4](#)(4).

¹²⁷⁸ Iowa Code § [692A.110](#).

§ 707.5(1)—Involuntary Manslaughter

§ 707.5(1)(a)—By public offense

Class = “D” felony¹²⁷⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹²⁸⁰	0 ¹²⁸¹	No, but see Enhancements	Yes ¹²⁸²

Fines

Max.	Min.	Can Suspend?
\$7500 ¹²⁸³	\$750 ¹²⁸⁴	Yes ¹²⁸⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁸⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁸⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Defendant must register if:
 - Fact-finder determined beyond a reasonable doubt that the violation of § [707.5](#) was sexually motivated per § [692A.126](#)¹²⁸⁸
 - If yes, the offender shall be assessed a civil penalty of \$250¹²⁸⁹

¹²⁷⁹ Iowa Code § [707.5](#)(1)(a).

¹²⁸⁰ Iowa Code § [902.9](#)(1)(e).

¹²⁸¹ Iowa Code § [902.9](#)(1)(e).

¹²⁸² See Iowa Code § [907.3](#).

¹²⁸³ Iowa Code § [902.9](#)(1)(e).

¹²⁸⁴ Iowa Code § [902.9](#)(1)(e).

¹²⁸⁵ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹²⁸⁶ Iowa Code § [911.1](#)(1).

¹²⁸⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹²⁸⁸ Iowa Code §§ [692A.102](#)(1)(c)(4), [707.5](#)(3).

¹²⁸⁹ Iowa Code § [692A.110](#).

§ 707.5(1)(b)—Via act likely to cause death or serious injury

Class = aggravated misdemeanor¹²⁹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹²⁹¹	0 ¹²⁹²	None	Yes ¹²⁹³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹²⁹⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ¹²⁹⁵	\$625 ¹²⁹⁶	Yes ¹²⁹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹²⁹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹²⁹⁹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Defendant must register if:
 - Fact-finder determined beyond a reasonable doubt that the violation of § [707.5](#) was sexually motivated per § [692A.126](#)¹³⁰⁰
 - If yes, the offender shall be assessed a civil penalty of \$250¹³⁰¹

¹²⁹⁰ Iowa Code § [707.5](#)(1)(b).

¹²⁹¹ Iowa Code § [903.1](#)(2).

¹²⁹² Iowa Code § [903.1](#)(2).

¹²⁹³ See Iowa Code § [907.3](#).

¹²⁹⁴ Iowa Code § [903.1](#)(2).

¹²⁹⁵ Iowa Code § [903.1](#)(2).

¹²⁹⁶ Iowa Code § [903.1](#)(2).

¹²⁹⁷ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹²⁹⁸ Iowa Code § [911.1](#)(1).

¹²⁹⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹³⁰⁰ Iowa Code §§ [692A.102](#)(1)(c)(4), [707.5](#)(3).

¹³⁰¹ Iowa Code § [692A.110](#).

§ 707.6A—Vehicular Homicide

§ 707.6A(1)—While intoxicated

Class = “B” felony¹³⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹³⁰³	0 ¹³⁰⁴	<ul style="list-style-type: none"> ❖ If also convicted under § 321.261(4) based on same facts/event underlying conviction under § 707.6A(1), not eligible until served 70% of max. term of sentence¹³⁰⁵ <ul style="list-style-type: none"> ➤ but see Under 18 Sentencing ❖ Otherwise, No mand. min., but see Enhancements 	No, ¹³⁰⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0	0	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Yes, 6 years ¹³⁰⁷ See Notes	Yes ¹³⁰⁸	No	No

Notes:

- ❖ License Revocation:
 - ineligible for temporary restricted license for at least 2 years after revocation¹³⁰⁹
- ❖ Additional things sentencing court must order at defendant’s expense:
 - Enroll, attend and satisfactorily complete drinking drivers’ course, per § [321J.22](#)¹³¹⁰
 - Submission to evaluation and treatment or rehab services¹³¹¹
 - Participation in reality education substance abuse prevention program, per § [321J.24](#)¹³¹²
 - If program is available and appropriate for defendant

¹³⁰² Iowa Code § [707.6A](#)(1).

¹³⁰³ Iowa Code § [902.9](#)(1)(b).

¹³⁰⁴ Iowa Code § [902.9](#)(1)(b).

¹³⁰⁵ Iowa Code § [902.12](#)(1)(f).

¹³⁰⁶ Iowa Code § [707.6A](#)(7).

¹³⁰⁷ Iowa Code § [707.6A](#)(1A).

¹³⁰⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹³⁰⁹ Iowa Code § [707.6A](#)(1A).

¹³¹⁰ Iowa Code § [707.6A](#)(1B)(a).

¹³¹¹ Iowa Code § [707.6A](#)(1B)(b).

¹³¹² Iowa Code § [707.6A](#)(1D).

§ 707.6A(2)—Vehicular homicide: reckless driving or eluding

Class = “C” felony¹³¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹³¹⁴	0 ¹³¹⁵	<ul style="list-style-type: none"> ❖ If also convicted under § 321.261(4) based on same facts/event underlying conviction under § 707.6A(2), not eligible until served 70% of max. term of sentence¹³¹⁶ <ul style="list-style-type: none"> ➤ but see Under 18 Sentencing ❖ Otherwise, No mand. min., but see Enhancements 	Yes ¹³¹⁷

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹³¹⁸	\$1000 ¹³¹⁹	Yes ¹³²⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³²¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³²²	No	No

Notes:

¹³¹³ See Iowa Code § [707.6A](#)(2)(a)(1)

¹³¹⁴ Iowa Code § [902.9](#)(1)(d).

¹³¹⁵ Iowa Code § [902.9](#)(1)(d).

¹³¹⁶ Iowa Code § [902.12](#)(1)(f).

¹³¹⁷ See Iowa Code § [907.3](#).

¹³¹⁸ Iowa Code § [902.9](#)(1)(d).

¹³¹⁹ Iowa Code § [902.9](#)(1)(d).

¹³²⁰ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³²¹ Iowa Code § [911.1](#)(1).

¹³²² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 707.6A(3)—Vehicular homicide: drag racing

Class = “D” felony¹³²³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹³²⁴	0 ¹³²⁵	No, but see Enhancements	Yes ¹³²⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ¹³²⁷	\$750 ¹³²⁸	Yes ¹³²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³³⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³³¹	No	No

Notes:

¹³²³ Iowa Code § [707.6A](#)(3).

¹³²⁴ Iowa Code § [902.9](#)(1)(e).

¹³²⁵ Iowa Code § [902.9](#)(1)(e).

¹³²⁶ See Iowa Code § [907.3](#).

¹³²⁷ Iowa Code § [902.9](#)(1)(e).

¹³²⁸ Iowa Code § [902.9](#)(1)(e).

¹³²⁹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³³⁰ Iowa Code § [911.1](#)(1).

¹³³¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 707.6A(4)—Serious injury by vehicle

Class = “D” felony¹³³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹³³³	0 ¹³³⁴	No, but see Enhancements	No if violation involved OWI, ¹³³⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹³³⁶	\$750 ¹³³⁷	No if violation involved OWI, ¹³³⁸ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³³⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁴⁰	No	No

Notes:

¹³³² Iowa Code § [707.6A](#)(4).

¹³³³ Iowa Code § [902.9](#)(1)(e).

¹³³⁴ Iowa Code § [902.9](#)(1)(e).

¹³³⁵ Iowa Code §§ [707.6A](#)(7), [907.3](#)(1)(a)(10), (2)(a)(6), (3)(d).

¹³³⁶ Iowa Code § [902.9](#)(1)(e).

¹³³⁷ Iowa Code § [902.9](#)(1)(e).

¹³³⁸ Iowa Code § [707.6A](#)(7).

¹³³⁹ Iowa Code § [911.1](#)(1).

¹³⁴⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 707.7—Feticide and Related Offenses

§ 707.7(1) or (3)—Feticide

Class = “C” felony¹³⁴¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹³⁴²	0 ¹³⁴³	No, but see Enhancements	Yes ¹³⁴⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹³⁴⁵	\$1000 ¹³⁴⁶	Yes ¹³⁴⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁴⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁴⁹	No	No

Notes:

¹³⁴¹ Iowa Code § 707.7(1), (3).

¹³⁴² Iowa Code § 902.9(1)(e).

¹³⁴³ Iowa Code § 902.9(1)(e).

¹³⁴⁴ See Iowa Code § 907.3.

¹³⁴⁵ Iowa Code § 902.9(1)(e).

¹³⁴⁶ Iowa Code § 902.9(1)(e).

¹³⁴⁷ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³⁴⁸ Iowa Code § 911.1(1).

¹³⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.7(2)—Attempted feticide

Class = “D” felony¹³⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹³⁵¹	0 ¹³⁵²	No, but see Enhancements	Yes ¹³⁵³

Fines

Max.	Min.	Can Suspend?
\$7500 ¹³⁵⁴	\$750 ¹³⁵⁵	Yes ¹³⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁵⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁵⁸	No	No

Notes:

¹³⁵⁰ Iowa Code § 707.7(2).

¹³⁵¹ Iowa Code § 902.9(1)(e).

¹³⁵² Iowa Code § 902.9(1)(e).

¹³⁵³ See Iowa Code § 907.3.

¹³⁵⁴ Iowa Code § 902.9(1)(e).

¹³⁵⁵ Iowa Code § 902.9(1)(e).

¹³⁵⁶ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³⁵⁷ Iowa Code § 911.1(1).

¹³⁵⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.8—Nonconsensual Termination—Serious Injury to Human Pregnancy

§ 707.8(1)—Nonconsensual termination of pregnancy during forcible felony

Class = “B” felony¹³⁵⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹³⁶⁰	0 ¹³⁶¹	No, but see Enhancements	Yes ¹³⁶²

Fines

Max.	Min.	Can Suspend?
0	0	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁶³	No	No

Notes:

¹³⁵⁹ Iowa Code § 707.8(1).

¹³⁶⁰ Iowa Code § 902.9(1)(b).

¹³⁶¹ Iowa Code § 902.9(1)(b).

¹³⁶² See Iowa Code § 907.3.

¹³⁶³ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.8(2)–(5)—Termination of pregnancy

Class = “C” felony¹³⁶⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹³⁶⁵	0 ¹³⁶⁶	No, but see Enhancements	Yes ¹³⁶⁷

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹³⁶⁸	\$1000 ¹³⁶⁹	Yes ¹³⁷⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁷¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁷²	No	No

Notes:

¹³⁶⁴ Iowa Code § 707.8(2)–(5).

¹³⁶⁵ Iowa Code § 902.9(1)(d).

¹³⁶⁶ Iowa Code § 902.9(1)(d).

¹³⁶⁷ See Iowa Code § 907.3.

¹³⁶⁸ Iowa Code § 902.9(1)(d).

¹³⁶⁹ Iowa Code § 902.9(1)(d).

¹³⁷⁰ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³⁷¹ Iowa Code § 911.1(1).

¹³⁷² Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.8(6)—Termination of Pregnancy while drag racing

Class = “D” felony¹³⁷³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹³⁷⁴	0 ¹³⁷⁵	No, but see Enhancements	Yes ¹³⁷⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ¹³⁷⁷	\$750 ¹³⁷⁸	Yes ¹³⁷⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁸⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁸¹	No	No

Notes:

¹³⁷³ Iowa Code § 707.8(6).

¹³⁷⁴ Iowa Code § 902.9(1)(e).

¹³⁷⁵ Iowa Code § 902.9(1)(e).

¹³⁷⁶ See Iowa Code § 907.3.

¹³⁷⁷ Iowa Code § 902.9(1)(e).

¹³⁷⁸ Iowa Code § 902.9(1)(e).

¹³⁷⁹ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³⁸⁰ Iowa Code § 911.1(1).

¹³⁸¹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.8(7)–(9)—Termination of or serious injury to pregnancy

Class = aggravated misdemeanor¹³⁸²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹³⁸³	0 ¹³⁸⁴	None	Yes ¹³⁸⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹³⁸⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ¹³⁸⁷	\$625 ¹³⁸⁸	Yes ¹³⁸⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹³⁹¹	No	No

Notes:

¹³⁸² Iowa Code § 707.8(7)–(9).

¹³⁸³ Iowa Code § 903.1(2).

¹³⁸⁴ Iowa Code § 903.1(2).

¹³⁸⁵ See Iowa Code § 907.3.

¹³⁸⁶ Iowa Code § 903.1(2).

¹³⁸⁷ Iowa Code § 903.1(2).

¹³⁸⁸ Iowa Code § 903.1(2).

¹³⁸⁹ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹³⁹⁰ Iowa Code § 911.1(1).

¹³⁹¹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 707.8(10)—Unintentional serious injury to pregnancy

Class = serious misdemeanor¹³⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹³⁹³	0 ¹³⁹⁴	N/A	Yes ¹³⁹⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ¹³⁹⁶	\$315 ¹³⁹⁷	No ¹³⁹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹³⁹⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

¹³⁹² Iowa Code § 707.8(10).

¹³⁹³ Iowa Code § 903.1(1)(b).

¹³⁹⁴ Iowa Code § 903.1(1)(b).

¹³⁹⁵ See Iowa Code § 907.3.

¹³⁹⁶ Iowa Code § 903.1(1)(b).

¹³⁹⁷ Iowa Code § 903.1(1)(b).

¹³⁹⁸ Iowa Code § 903.1(1)(b).

¹³⁹⁹ Iowa Code § 911.1(1).

§ 707.9—Murder of fetus born alive

Class = “B” felony¹⁴⁰⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹⁴⁰¹	0 ¹⁴⁰²	No, but see Enhancements	Yes ¹⁴⁰³

Fines

Max.	Min.	Can Suspend?
0	0	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁰⁴	No	No

Notes:

¹⁴⁰⁰ Iowa Code § [707.9](#).

¹⁴⁰¹ Iowa Code § [902.9](#)(1)(b).

¹⁴⁰² Iowa Code § [902.9](#)(1)(b).

¹⁴⁰³ See Iowa Code § [907.3](#).

¹⁴⁰⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 707.10—Failure to preserve life/health of fetus

Class = serious misdemeanor¹⁴⁰⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁴⁰⁶	0 ¹⁴⁰⁷	N/A	Yes ¹⁴⁰⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁴⁰⁹	\$315 ¹⁴¹⁰	No ¹⁴¹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴¹²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

¹⁴⁰⁵ Iowa Code § [707.10](#).

¹⁴⁰⁶ Iowa Code § [903.1](#)(1)(b).

¹⁴⁰⁷ Iowa Code § [903.1](#)(1)(b).

¹⁴⁰⁸ See Iowa Code § [907.3](#).

¹⁴⁰⁹ Iowa Code § [903.1](#)(1)(b).

¹⁴¹⁰ Iowa Code § [903.1](#)(1)(b).

¹⁴¹¹ Iowa Code § [903.1](#)(1)(b).

¹⁴¹² Iowa Code § [911.1](#)(1).

§ 707.11—Attempted Murder

Class = “B” felony¹⁴¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ¹⁴¹⁴	0 ¹⁴¹⁵	Not eligible until served 70% of max. term of incarceration ¹⁴¹⁶ Specific to “peace officer,” not eligible, shall serve 100% of term of incarceration ¹⁴¹⁷	No, ¹⁴¹⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0	0	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴¹⁹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Defendant must register if:
 - Fact-finder determined beyond a reasonable doubt that the violation of § [707.11](#) was sexually motivated per § [692A.126](#)¹⁴²⁰
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁴²¹

¹⁴¹³ Iowa Code § [707.11](#)(2).

¹⁴¹⁴ Iowa Code § [902.9](#)(1)(b).

¹⁴¹⁵ Iowa Code § [902.9](#)(1)(b).

¹⁴¹⁶ Iowa Code § [902.12](#)(1)(b).

¹⁴¹⁷ Iowa Code § [707.11](#)(5).

¹⁴¹⁸ Iowa Code § [907.3](#); see *id.* § [702.11](#)(1); *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979) (attempted murder is a forcible felony because it requires a felonious assault).

¹⁴¹⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁴²⁰ Iowa Code §§ [692A.102](#)(1)(c)(5), [707.11](#)(4).

¹⁴²¹ Iowa Code § [692A.110](#).

CH. 707A ASSISTED SUICIDE

§ 707A.2—Assisted Suicide

Class = “C” felony¹⁴²²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁴²³	0 ¹⁴²⁴	No, but see Enhancements	Yes ¹⁴²⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁴²⁶	\$1000 ¹⁴²⁷	Yes ¹⁴²⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴²⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴³⁰	No	No

Notes:

¹⁴²² Iowa Code § [707A.2](#).

¹⁴²³ Iowa Code § [902.9](#)(1)(d).

¹⁴²⁴ Iowa Code § [902.9](#)(1)(d).

¹⁴²⁵ See Iowa Code § [907.3](#).

¹⁴²⁶ Iowa Code § [902.9](#)(1)(d).

¹⁴²⁷ Iowa Code § [902.9](#)(1)(d).

¹⁴²⁸ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁴²⁹ Iowa Code § [911.1](#)(1).

¹⁴³⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

CH. 708 ASSAULT

§ 708.2—Basic Assault

§ 708.2(1)—Assault with intent to inflict serious injury

Class = aggravated misdemeanor¹⁴³¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years ¹⁴³²	0 ¹⁴³³	None	Yes, except no DJ if assault was against peace officer while performing peace officer's duties. ¹⁴³⁴

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁴³⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁴³⁶	\$625 ¹⁴³⁷	Yes ¹⁴³⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴³⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁴⁰	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
➤ Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁴⁴¹
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁴⁴²

¹⁴³¹ Iowa Code § [708.2](#)(1).

¹⁴³² Iowa Code § [903.1](#)(2).

¹⁴³³ Iowa Code § [903.1](#)(2).

¹⁴³⁴ Iowa Code § [907.3](#) (1)(a)(11).

¹⁴³⁵ Iowa Code § [903.1](#)(2).

¹⁴³⁶ Iowa Code § [903.1](#)(2).

¹⁴³⁷ Iowa Code § [903.1](#)(2).

¹⁴³⁸ Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁴³⁹ Iowa Code § [911.1](#)(1).

¹⁴⁴⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁴⁴¹ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁴⁴² Iowa Code § [692A.110](#).

§ 708.2(2)—Assault causing bodily injury or mental illness

Class = serious misdemeanor¹⁴⁴³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁴⁴⁴	0 ¹⁴⁴⁵	N/A	Yes, except no DJ if assault was against peace officer while performing peace officer's duties. ¹⁴⁴⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁴⁴⁷	\$315 ¹⁴⁴⁸	No ¹⁴⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁵⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry ¹⁴⁵¹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁴⁵²
- If yes, the offender shall be assessed a civil penalty of \$250¹⁴⁵³

¹⁴⁴³ Iowa Code § [708.2](#)(2).

¹⁴⁴⁴ Iowa Code § [903.1](#)(1)(b).

¹⁴⁴⁵ Iowa Code § [903.1](#)(1)(b).

¹⁴⁴⁶ Iowa Code § [907.3](#)(1)(a)(11).

¹⁴⁴⁷ Iowa Code § [903.1](#)(1)(b).

¹⁴⁴⁸ Iowa Code § [903.1](#)(1)(b).

¹⁴⁴⁹ Iowa Code § [903.1](#)(1)(b).

¹⁴⁵⁰ Iowa Code § [911.1](#)(1).

¹⁴⁵¹ Iowa Code § [81.2](#)(6).

¹⁴⁵² Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁴⁵³ Iowa Code § [692A.110](#).

§ 708.2(3)—Assault w/ dangerous weapon

Class = aggravated misdemeanor¹⁴⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁴⁵⁵	0 ¹⁴⁵⁶	None	Yes, except No DJ if assault was against peace officer while performing peace officer's duties. ¹⁴⁵⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁴⁵⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁴⁵⁹	\$625 ¹⁴⁶⁰	Yes ¹⁴⁶¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁶²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁶³	Maybe, see Notes	No

Notes:

- ❖ This subsection does not apply if either § [708.6](#) (intimidation with a dangerous weapon) or § [708.8](#) (going armed with intent) apply¹⁴⁶⁴
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁴⁶⁵
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁴⁶⁶

¹⁴⁵⁴ Iowa Code § [708.2\(3\)](#).

¹⁴⁵⁵ Iowa Code § [903.1\(2\)](#).

¹⁴⁵⁶ Iowa Code § [903.1\(2\)](#).

¹⁴⁵⁷ Iowa Code § [907.3\(1\)\(a\)\(11\)](#).

¹⁴⁵⁸ Iowa Code § [903.1\(2\)](#).

¹⁴⁵⁹ Iowa Code § [903.1\(2\)](#).

¹⁴⁶⁰ Iowa Code § [903.1\(2\)](#).

¹⁴⁶¹ Iowa Code § [903.1\(2\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁴⁶² Iowa Code § [911.1\(1\)](#).

¹⁴⁶³ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

¹⁴⁶⁴ Iowa Code § [708.2\(3\)](#).

¹⁴⁶⁵ Iowa Code § [692A.102\(1\)\(a\)\(6\)\(c\)](#).

¹⁴⁶⁶ Iowa Code § [692A.110](#).

§ 708.2(4)—Assault causing serious injury

Class = “D” felony¹⁴⁶⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁴⁶⁸	0 ¹⁴⁶⁹	None in §§ 708.2 or 902.9, but see enhancements	Yes, except no DJ if assault was against peace officer while performing peace officer’s duties. ¹⁴⁷⁰ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁴⁷¹	\$750 ¹⁴⁷²	Yes ¹⁴⁷³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁷⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁷⁵	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - Assault in violation of § 708.2(4) is not a forcible felony,¹⁴⁷⁶ therefore not automatically prohibited from receiving DJ, DS, or SS¹⁴⁷⁷
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126¹⁴⁷⁸
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁴⁷⁹

¹⁴⁶⁷ Iowa Code § 708.2(4).

¹⁴⁶⁸ Iowa Code § 902.9(1)(e).

¹⁴⁶⁹ Iowa Code § 902.9(1)(e).

¹⁴⁷⁰ Iowa Code § 907.3(1)(a)(11).

¹⁴⁷¹ Iowa Code § 902.9(1)(e).

¹⁴⁷² Iowa Code § 902.9(1)(e).

¹⁴⁷³ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁴⁷⁴ Iowa Code § 911.1(1).

¹⁴⁷⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹⁴⁷⁶ Iowa Code § 702.11(2)(f).

¹⁴⁷⁷ Iowa Code § 907.3, unnum. para. 1.

¹⁴⁷⁸ Iowa Code § 692A.102(1)(a)(6)(c).

¹⁴⁷⁹ Iowa Code § 692A.110.

§ 708.2(5)—Assault w/ object to penetrate

Class = “C” felony¹⁴⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁴⁸¹	0 ¹⁴⁸²	No, but see Enhancements	No, ¹⁴⁸³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁴⁸⁴	\$1000 ¹⁴⁸⁵	No, ¹⁴⁸⁶ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁸⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁴⁸⁸	Yes ¹⁴⁸⁹ The offender shall be assessed a civil penalty of \$250 ¹⁴⁹⁰	No

Notes:

¹⁴⁸⁰ Iowa Code § 708.2(5).

¹⁴⁸¹ Iowa Code § 902.9(1)(d).

¹⁴⁸² Iowa Code § 902.9(1)(d).

¹⁴⁸³ Iowa Code § 907.3; see id. § 702.11(1) (including felonious “assault” as a forcible felony).

¹⁴⁸⁴ Iowa Code § 902.9(1)(d).

¹⁴⁸⁵ Iowa Code § 902.9(1)(d).

¹⁴⁸⁶ Iowa Code § 907.3; see id. § 702.11(1) (including felonious “assault” as a forcible felony).

¹⁴⁸⁷ Iowa Code § 911.1(1).

¹⁴⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹⁴⁸⁹ Iowa Code § 692A.102(1)(c)(6).

¹⁴⁹⁰ Iowa Code § 692A.110.

§ 708.2(6)—Any other assault

Class = simple misdemeanor¹⁴⁹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
30 days ¹⁴⁹²	0 ¹⁴⁹³	N/A	Yes, except no DJ if assault was against peace officer while performing peace officer's duties ¹⁴⁹⁴

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁴⁹⁵	\$65 ¹⁴⁹⁶	No ¹⁴⁹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁴⁹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry ¹⁴⁹⁹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁵⁰⁰
- If yes, the offender shall be assessed a civil penalty of \$250¹⁵⁰¹

¹⁴⁹¹ Iowa Code § [708.2](#)(6).

¹⁴⁹² Iowa Code § [903.1](#)(1)(a).

¹⁴⁹³ Iowa Code § [903.1](#)(1)(a).

¹⁴⁹⁴ Iowa Code § [907.3](#)(1)(a)(11).

¹⁴⁹⁵ Iowa Code § [903.1](#)(1)(a).

¹⁴⁹⁶ Iowa Code § [903.1](#)(1)(a).

¹⁴⁹⁷ Iowa Code § [903.1](#)(1)(a).

¹⁴⁹⁸ Iowa Code § [911.1](#)(1).

¹⁴⁹⁹ Iowa Code § 81.1(6).

¹⁵⁰⁰ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁵⁰¹ Iowa Code § [692A.110](#).

§ 708.2A—Domestic Abuse Assault

§ 708.2A(2)—First offense

§ 708.2A(2)(a)—DAA, First offense

Class = simple misdemeanor¹⁵⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁵⁰³	2 days ¹⁵⁰⁴	N/A	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence¹⁵⁰⁵ ❖ DJ and DS eligible if: <ul style="list-style-type: none"> ➢ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁵⁰⁶ or ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁰⁷

- ❖ Mandatory minimum must be served on consecutive days¹⁵⁰⁸

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁵⁰⁹	\$65 ¹⁵¹⁰	No ¹⁵¹¹

- ❖ Fine cannot be imposed in lieu of minimum jail sentence¹⁵¹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵¹³	No	No	Yes, \$100 ¹⁵¹⁴	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁵¹⁵	Maybe, see Notes	No

Notes:

- ❖ Additional Penalties:
 - Participation in batterers' treatment program as required under § 708.2B¹⁵¹⁶
 - Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵¹⁷
- ❖ Sex Registry:

¹⁵⁰² Iowa Code § 708.2A(2)(a).

¹⁵⁰³ Iowa Code § 903.1(1)(a).

¹⁵⁰⁴ Iowa Code § 708.2A(7)(a).

¹⁵⁰⁵ Iowa Code § 708.2A(7)(a); accord id. § 907.3(3)(a).

¹⁵⁰⁶ Iowa Code § 708.2A(7)(a).

¹⁵⁰⁷ Iowa Code § 907.3(1)(a)(12) (deferred judgment); id. § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁰⁸ Iowa Code § 708.2A(7)(a).

¹⁵⁰⁹ Iowa Code § 903.1(1)(a).

¹⁵¹⁰ Iowa Code § 903.1(1)(a).

¹⁵¹¹ Iowa Code § 903.1(1)(a).

¹⁵¹² Iowa Code § 708.2A(7)(a).

¹⁵¹³ Iowa Code § 911.1(1).

¹⁵¹⁴ Iowa Code § 911.2B(1).

¹⁵¹⁵ Iowa Code § 907.3.

¹⁵¹⁶ Iowa Code § 708.2A(10).

¹⁵¹⁷ Iowa Code § 708.2A(8).

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁵¹⁸
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁵¹⁹

¹⁵¹⁸ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁵¹⁹ Iowa Code § [692A.110](#).

§ 708.2A(2)(b)—Causing bodily injury or mental illness, first offense

Class = serious misdemeanor¹⁵²⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁵²¹	2 days ¹⁵²²	N/A	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence¹⁵²³ ❖ DJ and DS eligible if: <ul style="list-style-type: none"> ➢ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁵²⁴ or ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵²⁵

❖ Mandatory minimum must be served on consecutive days¹⁵²⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁵²⁷	\$315 ¹⁵²⁸	No ¹⁵²⁹

❖ Fine cannot be imposed in lieu of minimum sentence¹⁵³⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵³¹	No	No	Yes, \$100 ¹⁵³²	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁵³³	Maybe, see Notes	No

Notes:

- ❖ Additional Penalties:
 - Participation in batterers' treatment program as required under § 708.2B¹⁵³⁴
 - Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵³⁵
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126¹⁵³⁶

¹⁵²⁰ Iowa Code § 708.2A(2)(b).

¹⁵²¹ Iowa Code § 903.1(1)(b).

¹⁵²² Iowa Code § 708.2A(7)(a).

¹⁵²³ Iowa Code § 708.2A(7)(a); *accord id.* § 907.3(3)(a).

¹⁵²⁴ Iowa Code § 708.2A(7)(a).

¹⁵²⁵ Iowa Code § 907.3(1)(a)(12) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵²⁶ Iowa Code § 708.2A(7)(a).

¹⁵²⁷ Iowa Code § 903.1(1)(b).

¹⁵²⁸ Iowa Code § 903.1(1)(b).

¹⁵²⁹ Iowa Code § 903.1(1)(b).

¹⁵³⁰ Iowa Code § 708.2A(7)(a).

¹⁵³¹ Iowa Code § 911.1(1).

¹⁵³² Iowa Code § 911.2B(1).

¹⁵³³ Iowa Code § 81.2(6).

¹⁵³⁴ Iowa Code § 708.2A(10).

¹⁵³⁵ Iowa Code § 708.2A(8).

¹⁵³⁶ Iowa Code § 692A.102(1)(a)(6)(c).

- If yes, the offender shall be assessed a civil penalty of \$250¹⁵³⁷

¹⁵³⁷ Iowa Code § [692A.110](#).

§ 708.2A(2)(c)—With intent to inflict serious injury or with dangerous weapon, first offense

Class = aggravated misdemeanor¹⁵³⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁵³⁹	2 days ¹⁵⁴⁰	2 days ¹⁵⁴¹	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence¹⁵⁴² ❖ DJ and DS eligible if: <ul style="list-style-type: none"> ➢ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁵⁴³ or ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁴⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁵⁴⁵

❖ Mandatory minimum must be served on consecutive days¹⁵⁴⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁵⁴⁷	\$625 ¹⁵⁴⁸	Yes ¹⁵⁴⁹

❖ Fine cannot be imposed in lieu of minimum sentence¹⁵⁵⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵⁵¹	No	No	Yes, \$100 ¹⁵⁵²	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁵⁵³	Maybe, see Notes	No

Notes:

❖ Additional Penalties:

- Participation in batterers' treatment program as required under § 708.2B¹⁵⁵⁴
- Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵⁵⁵

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126¹⁵⁵⁶

¹⁵³⁸ Iowa Code § 708.2A(2)(c).

¹⁵³⁹ Iowa Code § 903.1(2).

¹⁵⁴⁰ Iowa Code § 708.2A(7)(a).

¹⁵⁴¹ See Iowa Code § 708.2A(7)(a) (imposing 2 day mandatory minimum that cannot be suspended).

¹⁵⁴² Iowa Code § 708.2A(7)(a); *accord id.* § 907.3(3)(a).

¹⁵⁴³ Iowa Code § 708.2A(7)(a).

¹⁵⁴⁴ Iowa Code § 907.3(1)(a)(12) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁴⁵ Iowa Code § 903.1(2).

¹⁵⁴⁶ Iowa Code § 708.2A(7)(a).

¹⁵⁴⁷ Iowa Code § 903.1(2).

¹⁵⁴⁸ Iowa Code § 903.1(2).

¹⁵⁴⁹ Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25 , 31 (Iowa 1999)

¹⁵⁵⁰ Iowa Code § 708.2A(7)(a).

¹⁵⁵¹ Iowa Code § 911.1(1).

¹⁵⁵² Iowa Code § 911.2B(1).

¹⁵⁵³ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹⁵⁵⁴ Iowa Code § 708.2A(10).

¹⁵⁵⁵ Iowa Code § 708.2A(8).

¹⁵⁵⁶ Iowa Code § 692A.102(1)(a)(6)(c).

- If yes, the offender shall be assessed a civil penalty of \$250¹⁵⁵⁷

¹⁵⁵⁷ Iowa Code § [692A.110](#).

§ 708.2A(2)(d)—By choking, first offense

Class = aggravated misdemeanor¹⁵⁵⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁵⁵⁹	2 days ¹⁵⁶⁰	2 days ¹⁵⁶¹	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence¹⁵⁶² ❖ DJ and DS eligible if: <ul style="list-style-type: none"> ➢ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁵⁶³ or ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁶⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁵⁶⁵

❖ Mandatory minimum must be served on consecutive days¹⁵⁶⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁵⁶⁷	\$625 ¹⁵⁶⁸	Yes ¹⁵⁶⁹

❖ Fine cannot be imposed in lieu of minimum sentence¹⁵⁷⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵⁷¹	No	No	Yes, \$100 ¹⁵⁷²	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁵⁷³	Maybe, see Notes	No

Notes:

- ❖ Additional Penalties:
 - Participation in batterers' treatment program as required under § 708.2B¹⁵⁷⁴
 - Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵⁷⁵
- ❖ Sex Registry:
 - Must register if:

¹⁵⁵⁸ Iowa Code § 708.2A(2)(d).

¹⁵⁵⁹ Iowa Code § 903.1(2).

¹⁵⁶⁰ Iowa Code § 708.2A(7)(a).

¹⁵⁶¹ See Iowa Code § 708.2A(7)(a) (imposing 2 day mandatory minimum that cannot be suspended).

¹⁵⁶² Iowa Code § 708.2A(7)(a); accord id. § 907.3(3)(a).

¹⁵⁶³ Iowa Code § 708.2A(7)(a).

¹⁵⁶⁴ Iowa Code § 907.3(1)(a)(12) (deferred judgment); id. § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁶⁵ Iowa Code § 903.1(2).

¹⁵⁶⁶ Iowa Code § 708.2A(7)(a).

¹⁵⁶⁷ Iowa Code § 903.1(2).

¹⁵⁶⁸ Iowa Code § 903.1(2).

¹⁵⁶⁹ Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25 , 31 (Iowa 1999)

¹⁵⁷⁰ Iowa Code § 708.2A(7)(a).

¹⁵⁷¹ Iowa Code § 911.1(1).

¹⁵⁷² Iowa Code § 911.2B(1).

¹⁵⁷³ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹⁵⁷⁴ Iowa Code § 708.2A(10).

¹⁵⁷⁵ Iowa Code § 708.2A(8).

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁵⁷⁶
- If yes, the offender shall be assessed a civil penalty of \$250¹⁵⁷⁷

¹⁵⁷⁶ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁵⁷⁷ Iowa Code § [692A.110](#).

§ 708.2A(3)—Second offense

§ 708.2A(3)(a)—If first offense was a simple misdemeanor and second offense would otherwise be a simple misdemeanor

Class = serious misdemeanor¹⁵⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁵⁷⁹	2 days ¹⁵⁸⁰	N/A	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence¹⁵⁸¹ ❖ DJ and DS eligible if: <ul style="list-style-type: none"> ➢ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁵⁸² or ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁵⁸³

❖ Mandatory minimum must be served on consecutive days¹⁵⁸⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁵⁸⁵	\$315 ¹⁵⁸⁶	No ¹⁵⁸⁷

❖ Fine cannot be imposed in lieu of minimum sentence¹⁵⁸⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁵⁸⁹	No	No	Yes, \$100 ¹⁵⁹⁰	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁵⁹¹	Maybe, see Notes	No

Notes:

- ❖ Additional Penalties:
 - Participation in batterers' treatment program as required under § 708.2B¹⁵⁹²
 - Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁵⁹³
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126¹⁵⁹⁴

¹⁵⁷⁸ Iowa Code § 708.2A(3)(a).

¹⁵⁷⁹ Iowa Code § 903.1(1)(b).

¹⁵⁸⁰ Iowa Code § 708.2A(7)(a).

¹⁵⁸¹ Iowa Code § 708.2A(7)(a); *accord id.* § 907.3(3)(a).

¹⁵⁸² Iowa Code § 708.2A(7)(a).

¹⁵⁸³ Iowa Code § 907.3 (1)(a)(12) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁵⁸⁴ Iowa Code § 708.2A(7)(a).

¹⁵⁸⁵ Iowa Code § 903.1(1)(b).

¹⁵⁸⁶ Iowa Code § 903.1(1)(b).

¹⁵⁸⁷ Iowa Code § 903.1(1)(b).

¹⁵⁸⁸ Iowa Code § 708.2A(7)(a).

¹⁵⁸⁹ Iowa Code § 911.1(1).

¹⁵⁹⁰ Iowa Code § 911.2B(1).

¹⁵⁹¹ Iowa Code § 81.2(6).

¹⁵⁹² Iowa Code § 708.2A(10).

¹⁵⁹³ Iowa Code § 708.2A(8).

¹⁵⁹⁴ Iowa Code § 692A.102(1)(a)(6)(c).

- If yes, the offender shall be assessed a civil penalty of \$250¹⁵⁹⁵

¹⁵⁹⁵ Iowa Code § [692A.110](#).

§ 708.2A(3)(b)—If first offense was a simple or aggravated misdemeanor and second offense would otherwise be a serious misdemeanor, or first offense was a serious or aggravated misdemeanor and second offense would otherwise be a simple or serious misdemeanor

Class = aggravated misdemeanor¹⁵⁹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁵⁹⁷	2 days ¹⁵⁹⁸	N/A	<ul style="list-style-type: none"> ❖ Can suspend, except for min. sentence¹⁵⁹⁹ ❖ DJ and DS eligible if: <ul style="list-style-type: none"> ➢ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA,¹⁶⁰⁰ or ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A¹⁶⁰¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁶⁰²

❖ Mandatory minimum must be served on consecutive days¹⁶⁰³

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁶⁰⁴	\$625 ¹⁶⁰⁵	Yes ¹⁶⁰⁶

❖ Fine cannot be imposed in lieu of minimum sentence¹⁶⁰⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁰⁸	No	No	Yes, \$100 ¹⁶⁰⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶¹⁰	Maybe, see Notes	No

Notes:

- ❖ Additional Penalties:
 - Participation in batterers' treatment program as required under § 708.2B¹⁶¹¹
 - Court shall modify no-contact order issued at initial appearance per § 664A.5, regardless if person is placed on probation¹⁶¹²
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126¹⁶¹³

¹⁵⁹⁶ Iowa Code § 708.2A(3)(b).

¹⁵⁹⁷ Iowa Code § 903.1(2).

¹⁵⁹⁸ Iowa Code § 708.2A(7)(a).

¹⁵⁹⁹ Iowa Code § 708.2A(7)(a); *accord id.* § 907.3(3)(a).

¹⁶⁰⁰ Iowa Code § 708.2A(7)(a).

¹⁶⁰¹ Iowa Code § 907.3(1)(a)(12) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁶⁰² Iowa Code § 903.1(2).

¹⁶⁰³ Iowa Code § 708.2A(7)(a).

¹⁶⁰⁴ Iowa Code § 903.1(2).

¹⁶⁰⁵ Iowa Code § 903.1(2).

¹⁶⁰⁶ Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁶⁰⁷ Iowa Code § 708.2A(7)(a).

¹⁶⁰⁸ Iowa Code § 911.1(1).

¹⁶⁰⁹ Iowa Code § 911.2B(1).

¹⁶¹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹⁶¹¹ Iowa Code § 708.2A(10).

¹⁶¹² Iowa Code § 708.2A(8).

¹⁶¹³ Iowa Code § 692A.102(1)(a)(6)(c).

- If yes, the offender shall be assessed a civil penalty of \$250¹⁶¹⁴

¹⁶¹⁴ Iowa Code § [692A.110](#).

§ 708.2A(4)—Third or subsequent offense

Class = “D” felony¹⁶¹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶¹⁶	1 year or more ¹⁶¹⁷	1 year or more, ¹⁶¹⁸ but see also Enhancements	No, ¹⁶¹⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶²⁰	\$750 ¹⁶²¹	No ¹⁶²²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶²³	No	No	Yes, \$100 ¹⁶²⁴	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶²⁵	Maybe, see Notes	No

Notes:

- ❖ Additional Penalties:
 - Participation in batterers’ treatment program as required under § [708.2B](#)¹⁶²⁶
 - Court shall modify no-contact order issued at initial appearance per § [664A.5](#), regardless if person is placed on probation¹⁶²⁷
 - “A person placed on probation, parole, work release, or any other type of conditional release for [DAA] in violation of [§ [708.2A\(4\)](#)], may be supervised by an electronic tracking and monitoring system”
 - Safety of victim and other legitimate factors may be considered by the court in determining necessity of electronic tracking
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁶²⁸

¹⁶¹⁵ Iowa Code § [708.2A\(4\)](#).

¹⁶¹⁶ Iowa Code § [902.9\(1\)\(e\)](#).

¹⁶¹⁷ See Iowa Code § [708.2A\(7\)\(b\)](#).

¹⁶¹⁸ See Iowa Code § [708.2A\(7\)\(b\)](#).

¹⁶¹⁹ Iowa Code § [708.2A\(7\)\(b\)](#); *see also* Iowa Code § [901.5](#); *see also id.* § [702.11\(1\)](#) (including felonious “assault” as a forcible felony).

¹⁶²⁰ Iowa Code § [902.9\(1\)\(e\)](#).

¹⁶²¹ Iowa Code § [902.9\(1\)\(e\)](#).

¹⁶²² See Iowa Code § [708.2A\(7\)\(b\)](#).

¹⁶²³ Iowa Code § [911.1\(1\)](#).

¹⁶²⁴ Iowa Code § [911.2B\(1\)](#).

¹⁶²⁵ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

¹⁶²⁶ Iowa Code § [708.2A\(10\)](#).

¹⁶²⁷ Iowa Code § [708.2A\(8\)](#).

¹⁶²⁸ Iowa Code § [692A.102\(1\)\(a\)\(6\)\(c\)](#).

- If yes, the offender shall be assessed a civil penalty of \$250¹⁶²⁹

¹⁶²⁹ Iowa Code § [692A.110](#).

§ 708.2A(5)—By choking causing bodily injury

Class = “D” felony¹⁶³⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶³¹	0 ¹⁶³²	No, but see Enhancements	<ul style="list-style-type: none"> ❖ DJ and DS eligible if¹⁶³³: <ul style="list-style-type: none"> ➢ no previous DS or DJ for violation of § 708.2 or § 708.2A issued on DAA, or ➢ no similar relief granted anywhere else in US for violation of statute substantially corresponding to § 708.2A ❖ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶³⁴	\$750 ¹⁶³⁵	Yes ¹⁶³⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶³⁷	No	No	Yes, \$100 ¹⁶³⁸	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶³⁹	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - Violation of § 708.2A(5) is not a forcible felony,¹⁶⁴⁰ so not automatically prohibited from receiving DJ, DS, or SS¹⁶⁴¹
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126¹⁶⁴²
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁶⁴³
- ❖ Additional Penalties:
 - Participation in batterers’ treatment program as required under § 708.2B¹⁶⁴⁴

¹⁶³⁰ Iowa Code § 708.2A(5).

¹⁶³¹ Iowa Code § 902.9(1)(e).

¹⁶³² Iowa Code § 902.9(1)(e).

¹⁶³³ Iowa Code § 907.3(1)(a)(12) (deferred judgment); *id.* § 907.3(2)(a)(7) (deferred sentence).

¹⁶³⁴ Iowa Code § 902.9(1)(e).

¹⁶³⁵ Iowa Code § 902.9(1)(e).

¹⁶³⁶ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁶³⁷ Iowa Code § 911.1(1).

¹⁶³⁸ Iowa Code § 911.2B(1).

¹⁶³⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹⁶⁴⁰ Iowa Code § 702.11 (2)(g).

¹⁶⁴¹ Iowa Code § 907.3, unnum. para. 1.

¹⁶⁴² Iowa Code § 692A.102(1)(a)(6)(c).

¹⁶⁴³ Iowa Code § 692A.110.

¹⁶⁴⁴ Iowa Code § 708.2A(10).

- Court shall modify no-contact order issued at initial appearance per § [664A.5](#), regardless if person is placed on probation¹⁶⁴⁵

¹⁶⁴⁵ Iowa Code § [708.2A](#)(8).

§ 708.2C—Assault in Violation of Individual Rights

§ 708.2C(2)—With intent to inflict serious injury

Class = “D” felony¹⁶⁴⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶⁴⁷	0 ¹⁶⁴⁸	No, but see Enhancements	No, ¹⁶⁴⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶⁵⁰	\$750 ¹⁶⁵¹	No, ¹⁶⁵² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁵³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁵⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁶⁵⁵
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁶⁵⁶

¹⁶⁴⁶ Iowa Code § [708.2C](#)(2).

¹⁶⁴⁷ Iowa Code § [902.9](#)(1)(e).

¹⁶⁴⁸ Iowa Code § [902.9](#)(1)(e).

¹⁶⁴⁹ Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁵⁰ Iowa Code § [902.9](#)(1)(e).

¹⁶⁵¹ Iowa Code § [902.9](#)(1)(e).

¹⁶⁵² Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁵³ Iowa Code § [911.1](#)(1).

¹⁶⁵⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁶⁵⁵ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁶⁵⁶ Iowa Code § [692A.110](#).

§ 708.2C(3)—Causing bodily injury or mental illness

Class = aggravated misdemeanor¹⁶⁵⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁶⁵⁸	0 ¹⁶⁵⁹	None	No DJ if assault was against peace officer while performing peace officer's duties ¹⁶⁶⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁶⁶¹

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁶⁶²	\$625 ¹⁶⁶³	Yes ¹⁶⁶⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁶⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁶⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁶⁶⁷
- If yes, the offender shall be assessed a civil penalty of \$250¹⁶⁶⁸

¹⁶⁵⁷ Iowa Code § [708.2C](#)(3).

¹⁶⁵⁸ Iowa Code § [903.1](#)(2).

¹⁶⁵⁹ Iowa Code § [903.1](#)(2).

¹⁶⁶⁰ Iowa Code § [907.3](#)(1)(a)(11).

¹⁶⁶¹ Iowa Code § [903.1](#)(2).

¹⁶⁶² Iowa Code § [903.1](#)(2).

¹⁶⁶³ Iowa Code § [903.1](#)(2).

¹⁶⁶⁴ Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25 , 31 (Iowa 1999)

¹⁶⁶⁵ Iowa Code § [911.1](#)(1).

¹⁶⁶⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁶⁶⁷ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁶⁶⁸ Iowa Code § [692A.110](#).

§ 708.2C(4)—With dangerous weapon

Class = “D” felony¹⁶⁶⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁶⁷⁰	0 ¹⁶⁷¹	No, but see Enhancements	No, ¹⁶⁷² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁶⁷³	\$750 ¹⁶⁷⁴	No, ¹⁶⁷⁵ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁷⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁷⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁶⁷⁸
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁶⁷⁹

¹⁶⁶⁹ Iowa Code § [708.2C](#)(4).

¹⁶⁷⁰ Iowa Code § [902.9](#)(1)(e).

¹⁶⁷¹ Iowa Code § [902.9](#)(1)(e).

¹⁶⁷² Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁷³ Iowa Code § [902.9](#)(1)(e).

¹⁶⁷⁴ Iowa Code § [902.9](#)(1)(e).

¹⁶⁷⁵ Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁷⁶ Iowa Code § [911.1](#)(1).

¹⁶⁷⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁶⁷⁸ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁶⁷⁹ Iowa Code § [692A.110](#).

§ 708.2C(5)—Assault in violation of individual rights

Class = serious misdemeanor¹⁶⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁶⁸¹	0 ¹⁶⁸²	N/A	No DJ if assault was against peace officer while performing peace officer's duties ¹⁶⁸³

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁶⁸⁴	\$315 ¹⁶⁸⁵	No ¹⁶⁸⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁸⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁶⁸⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁶⁸⁹
- If yes, the offender shall be assessed a civil penalty of \$250¹⁶⁹⁰

¹⁶⁸⁰ Iowa Code § [708.2C](#)(5).

¹⁶⁸¹ Iowa Code § [903.1](#)(1)(b).

¹⁶⁸² Iowa Code § [903.1](#)(1)(b).

¹⁶⁸³ Iowa Code § [907.3](#)(1)(a)(11).

¹⁶⁸⁴ Iowa Code § [903.1](#)(1)(b).

¹⁶⁸⁵ Iowa Code § [903.1](#)(1)(b).

¹⁶⁸⁶ Iowa Code § [903.1](#)(1)(b).

¹⁶⁸⁷ Iowa Code § [911.1](#)(1).

¹⁶⁸⁸ Iowa Code § [81.2](#)(6).

¹⁶⁸⁹ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁶⁹⁰ Iowa Code § [692A.110](#).

§ 708.3—Assault While Participating in Felony

§ 708.3(1)—Causing serious injury to any person

Class = “C” felony¹⁶⁹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁶⁹²	0 ¹⁶⁹³	No, but see Enhancements	No, ¹⁶⁹⁴ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁶⁹⁵	\$1000 ¹⁶⁹⁶	No, ¹⁶⁹⁷ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁶⁹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁶⁹⁹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § 692A.126¹⁷⁰⁰
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁰¹

¹⁶⁹¹ Iowa Code § 708.3(1).

¹⁶⁹² Iowa Code § 902.9(1)(d).

¹⁶⁹³ Iowa Code § 902.9(1)(d).

¹⁶⁹⁴ Iowa Code § 907.3; *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁹⁵ Iowa Code § 902.9(1)(d).

¹⁶⁹⁶ Iowa Code § 902.9(1)(d).

¹⁶⁹⁷ Iowa Code § 907.3; *see id.* § 702.11(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁶⁹⁸ Iowa Code § 911.1(1).

¹⁶⁹⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

¹⁷⁰⁰ Iowa Code § 692A.102(1)(a)(6)(c).

¹⁷⁰¹ Iowa Code § 692A.110.

§ 708.3(2)—No serious injury results

Class = “D” felony¹⁷⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷⁰³	0 ¹⁷⁰⁴	No, but see Enhancements	No, ¹⁷⁰⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁰⁶	\$750 ¹⁷⁰⁷	No, ¹⁷⁰⁸ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁰⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷¹⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁷¹¹
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁷¹²

¹⁷⁰² Iowa Code § [708.3](#)(2).

¹⁷⁰³ Iowa Code § [902.9](#)(1)(e).

¹⁷⁰⁴ Iowa Code § [902.9](#)(1)(e).

¹⁷⁰⁵ Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷⁰⁶ Iowa Code § [902.9](#)(1)(e).

¹⁷⁰⁷ Iowa Code § [902.9](#)(1)(e).

¹⁷⁰⁸ Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷⁰⁹ Iowa Code § [911.1](#)(1).

¹⁷¹⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁷¹¹ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁷¹² Iowa Code § [692A.110](#).

§ 708.3A—Assaults on Certain Professionals

§ 708.3A(1)—Assault against peace officer, etc. w/ intent to inflict serious injury

Class = “D” felony¹⁷¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷¹⁴	0 ¹⁷¹⁵	No, but see Enhancements	No, ¹⁷¹⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷¹⁷	\$750 ¹⁷¹⁸	No, ¹⁷¹⁹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷²⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷²¹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁷²²
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁷²³

¹⁷¹³ Iowa Code § [708.3A](#)(1).

¹⁷¹⁴ Iowa Code § [902.9](#)(1)(e).

¹⁷¹⁵ Iowa Code § [902.9](#)(1)(e).

¹⁷¹⁶ Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷¹⁷ Iowa Code § [902.9](#)(1)(e).

¹⁷¹⁸ Iowa Code § [902.9](#)(1)(e).

¹⁷¹⁹ Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷²⁰ Iowa Code § [911.1](#)(1).

¹⁷²¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁷²² Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁷²³ Iowa Code § [692A.110](#).

§ 708.3A(2)—Assault against peace officer, etc. w/ dangerous weapon

Class = “D” felony¹⁷²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷²⁵	0 ¹⁷²⁶	No, but see Enhancements	No, ¹⁷²⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷²⁸	\$750 ¹⁷²⁹	No, ¹⁷³⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷³¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷³²	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁷³³
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁷³⁴

¹⁷²⁴ Iowa Code § [708.3A](#)(2).

¹⁷²⁵ Iowa Code § [902.9](#)(1)(e).

¹⁷²⁶ Iowa Code § [902.9](#)(1)(e).

¹⁷²⁷ Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷²⁸ Iowa Code § [902.9](#)(1)(e).

¹⁷²⁹ Iowa Code § [902.9](#)(1)(e).

¹⁷³⁰ Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷³¹ Iowa Code § [911.1](#)(1).

¹⁷³² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁷³³ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁷³⁴ Iowa Code § [692A.110](#).

§ 708.3A(3)—Assault against peace officer, etc. causing bodily injury or mental illness

Class = aggravated misdemeanor¹⁷³⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁷³⁶	0 ¹⁷³⁷	None	No DJ if assault was against peace officer while performing peace officer's duties ¹⁷³⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁷³⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁷⁴⁰	\$625 ¹⁷⁴¹	Yes ¹⁷⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁴⁴	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁷⁴⁵
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁴⁶

¹⁷³⁵ Iowa Code § [708.3A](#)(3).

¹⁷³⁶ Iowa Code § [903.1](#)(2).

¹⁷³⁷ Iowa Code § [903.1](#)(2).

¹⁷³⁸ Iowa Code § [907.3](#)(1)(a)(11).

¹⁷³⁹ Iowa Code § [903.1](#)(2).

¹⁷⁴⁰ Iowa Code § [903.1](#)(2).

¹⁷⁴¹ Iowa Code § [903.1](#)(2).

¹⁷⁴² Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁷⁴³ Iowa Code § [911.1](#)(1).

¹⁷⁴⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁷⁴⁵ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁷⁴⁶ Iowa Code § [692A.110](#).

§ 708.3A(4)—Any other assault against a peace officer, etc.

Class = serious misdemeanor¹⁷⁴⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁷⁴⁸	0 ¹⁷⁴⁹	N/A	No DJ if assault was against peace officer while performing peace officer's duties ¹⁷⁵⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁷⁵¹	\$315 ¹⁷⁵²	No ¹⁷⁵³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁵⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁷⁵⁵	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁷⁵⁶
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁵⁷

¹⁷⁴⁷ Iowa Code § [708.3A](#)(4).

¹⁷⁴⁸ Iowa Code § [903.1](#)(1)(b).

¹⁷⁴⁹ Iowa Code § [903.1](#)(1)(b).

¹⁷⁵⁰ Iowa Code § [907.3](#)(1)(a)(11).

¹⁷⁵¹ Iowa Code § [903.1](#)(1)(b).

¹⁷⁵² Iowa Code § [903.1](#)(1)(b).

¹⁷⁵³ Iowa Code § [903.1](#)(1)(b).

¹⁷⁵⁴ Iowa Code § [911.1](#)(1).

¹⁷⁵⁵ Iowa Code § [81.2](#)(6).

¹⁷⁵⁶ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁷⁵⁷ Iowa Code § [692A.110](#).

§ 708.3B—Inmate Assaults

Class = “D” felony¹⁷⁵⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷⁵⁹	0 ¹⁷⁶⁰	No, but see Enhancements	No, ¹⁷⁶¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁶²	\$750 ¹⁷⁶³	No, ¹⁷⁶⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁶⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁶⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁷⁶⁷
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁶⁸

¹⁷⁵⁸ Iowa Code § [708.3B](#).

¹⁷⁵⁹ Iowa Code § [902.9](#)(1)(e).

¹⁷⁶⁰ Iowa Code § [902.9](#)(1)(e).

¹⁷⁶¹ Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷⁶² Iowa Code § [902.9](#)(1)(e).

¹⁷⁶³ Iowa Code § [902.9](#)(1)(e).

¹⁷⁶⁴ Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷⁶⁵ Iowa Code § [911.1](#)(1).

¹⁷⁶⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁷⁶⁷ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁷⁶⁸ Iowa Code § [692A.110](#).

§ 708.4—Willful Injury

§ 708.4(1)—Causing serious injury

Class = “C” felony¹⁷⁶⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁷⁷⁰	0 ¹⁷⁷¹	No, but see Enhancements	No, ¹⁷⁷² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁷⁷³	\$1000 ¹⁷⁷⁴	No, ¹⁷⁷⁵ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁷⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁷⁷	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁷⁷⁸
- If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁷⁹

¹⁷⁶⁹ Iowa Code § [708.4](#)(1).

¹⁷⁷⁰ Iowa Code § [902.9](#)(1)(d).

¹⁷⁷¹ Iowa Code § [902.9](#)(1)(d).

¹⁷⁷² Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Love*, 858 N.W.2d 721, 725 (Iowa 2015) (noting “[t]here is no question that as a general proposition, the crime of willful injury cannot be completed without also completing the crime of assault with intent,” thereby implying willful injury is a type of assault (citations omitted)); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷⁷³ Iowa Code § [902.9](#)(1)(d).

¹⁷⁷⁴ Iowa Code § [902.9](#)(1)(d).

¹⁷⁷⁵ Iowa Code § [907.3](#); *see id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *State v. Love*, 858 N.W.2d 721, 725 (Iowa 2015) (noting “[t]here is no question that as a general proposition, the crime of willful injury cannot be completed without also completing the crime of assault with intent,” thereby implying willful injury is a type of assault (citations omitted)); *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[F]elonious assault [is] any assault the commission of which constitutes a felony.” (first *State v. Powers*, 278 N.W.2d 26, 28 (Iowa 1979))).

¹⁷⁷⁶ Iowa Code § [911.1](#)(1).

¹⁷⁷⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁷⁷⁸ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁷⁷⁹ Iowa Code § [692A.110](#).

§ 708.4(2)—Causing bodily injury to another

Class = “D” felony¹⁷⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷⁸¹	0 ¹⁷⁸²	No, but see Enhancements	No DJ if assault was against peace officer while performing peace officer’s duties ¹⁷⁸³ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁸⁴	\$750 ¹⁷⁸⁵	Yes ¹⁷⁸⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁸⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁷⁸⁸	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible:
 - Willful injury causing bodily injury is not a forcible felony,¹⁷⁸⁹ so not automatically prohibited from receiving DJ, DS, or SS
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁷⁹⁰
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁷⁹¹

¹⁷⁸⁰ Iowa Code § [708.4](#)(2).

¹⁷⁸¹ Iowa Code § [902.9](#)(1)(e).

¹⁷⁸² Iowa Code § [902.9](#)(1)(e).

¹⁷⁸³ Iowa Code § [907.3](#) (1)(a)(11).

¹⁷⁸⁴ Iowa Code § [902.9](#)(1)(e).

¹⁷⁸⁵ Iowa Code § [902.9](#)(1)(e).

¹⁷⁸⁶ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁷⁸⁷ Iowa Code § [911.1](#)(1).

¹⁷⁸⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁷⁸⁹ Iowa Code § [702.11](#) (2)(a).

¹⁷⁹⁰ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁷⁹¹ Iowa Code § [692A.110](#).

§ 708.5—Administering Harmful Substances

Class = “D” felony¹⁷⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁷⁹³	0 ¹⁷⁹⁴	No, but see Enhancements	Yes ¹⁷⁹⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁷⁹⁶	\$750 ¹⁷⁹⁷	Yes ¹⁷⁹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁷⁹⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁰⁰	Maybe, see notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § [692A.126](#)¹⁸⁰¹
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁰²

¹⁷⁹² Iowa Code § [708.5](#).

¹⁷⁹³ Iowa Code § [902.9](#)(1)(e).

¹⁷⁹⁴ Iowa Code § [902.9](#)(1)(e).

¹⁷⁹⁵ See Iowa Code § [907.3](#).

¹⁷⁹⁶ Iowa Code § [902.9](#)(1)(e).

¹⁷⁹⁷ Iowa Code § [902.9](#)(1)(e).

¹⁷⁹⁸ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁷⁹⁹ Iowa Code § [911.1](#)(1).

¹⁸⁰⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁸⁰¹ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁸⁰² Iowa Code § [692A.110](#).

§ 708.6—Intimidation with Dangerous Weapon

§ 708.6, unnum. para. 1—Intimidation w/ intent to injure or provoke

Class = “C” felony¹⁸⁰³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁸⁰⁴	0 ¹⁸⁰⁵	No, but see Enhancements	No, ¹⁸⁰⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁸⁰⁷	\$1000 ¹⁸⁰⁸	No, ¹⁸⁰⁹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸¹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸¹¹	Maybe, see notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁸¹²
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁸¹³

¹⁸⁰³ Iowa Code § [708.6](#), unnum. para. 1.

¹⁸⁰⁴ Iowa Code § [902.9\(1\)\(d\)](#).

¹⁸⁰⁵ Iowa Code § [902.9\(1\)\(d\)](#).

¹⁸⁰⁶ Iowa Code § [907.3](#), unnum. para. 1; *id.* § [702.11\(1\)](#) (including felonious “assault” as a forcible felony); *see State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980) (holding that “terrorism” in violation of § [708.6](#) by “doing”—i.e., by “shoot[ing], throw[ing], launch[ing], or discharge[ing] a dangerous weapon”—involves commission of an assault and, therefore is a forcible felony); *see also Phuoc Thanh Nguyen v. State*, 829 N.W.2d 183, 185 & n.1 (Iowa 2013) (noting defendant was charged with “participating in the forcible felony of terrorism” and that “[t]he offense of ‘Terrorism’ was renamed ‘Intimidation with a dangerous weapon’ in 2002 (citation omitted)).

¹⁸⁰⁷ Iowa Code § [902.9\(1\)\(d\)](#).

¹⁸⁰⁸ Iowa Code § [902.9\(1\)\(d\)](#).

¹⁸⁰⁹ Iowa Code § [907.3](#), unnum. para. 1; *id.* § [702.11\(1\)](#) (including felonious “assault” as a forcible felony); *see State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980) (holding that “terrorism” in violation of § [708.6](#) by “doing”—i.e., by “shoot[ing], throw[ing], launch[ing], or discharge[ing] a dangerous weapon”—involves commission of an assault and, therefore is a forcible felony); *see also Phuoc Thanh Nguyen v. State*, 829 N.W.2d 183, 185 & n.1 (Iowa 2013) (noting defendant was charged with “participating in the forcible felony of terrorism” and that “[t]he offense of ‘Terrorism’ was renamed ‘Intimidation with a dangerous weapon’ in 2002 (citation omitted)).

¹⁸¹⁰ Iowa Code § [911.1\(1\)](#).

¹⁸¹¹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

¹⁸¹² Iowa Code § [692A.102\(1\)\(a\)\(6\)\(c\)](#).

¹⁸¹³ Iowa Code § [692A.110](#).

§ 708.6, unnum. para. 1—Threatened intimidation w/ intent to injure or provoke

Class = “C” felony¹⁸¹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁸¹⁵	0 ¹⁸¹⁶	No, but see Enhancements	Yes, except no DJ if assault was against peace officer while performing peace officer’s duties ¹⁸¹⁷ See Notes

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁸¹⁸	\$1000 ¹⁸¹⁹	Yes ¹⁸²⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸²¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸²²	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - The “threatening” version of “intimidation with a dangerous weapon” is not a forcible felony,¹⁸²³ so not automatically prohibited from receiving a DJ, DS, or SS
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁸²⁴
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁸²⁵

¹⁸¹⁴ Iowa Code § [708.6](#), unnum. para. 1.

¹⁸¹⁵ Iowa Code § [902.9](#)(1)(d).

¹⁸¹⁶ Iowa Code § [902.9](#)(1)(d).

¹⁸¹⁷ Iowa Code § [907.3](#) (1)(a)(11).

¹⁸¹⁸ Iowa Code § [902.9](#)(1)(d).

¹⁸¹⁹ Iowa Code § [902.9](#)(1)(d).

¹⁸²⁰ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁸²¹ Iowa Code § [911.1](#)(1).

¹⁸²² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁸²³ See *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[T]he ‘threatening’ form of terrorism [now known as “intimidation with a dangerous weapon”] does not constitute a felonious assault” because “assault [is] not a lesser included offense of the ‘threatens to shoot’ alternative of terrorism.” (citing *State v. Smith*, 309 N.W.2d 454, 456–57 (Iowa 1981))).

¹⁸²⁴ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁸²⁵ Iowa Code § [692A.110](#).

§ 708.6, unnum. para. 2—Intimidation w/ dangerous weapon

Class = “D” felony¹⁸²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁸²⁷	0 ¹⁸²⁸	No, but see Enhancements	No, ¹⁸²⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁸³⁰	\$750 ¹⁸³¹	No, ¹⁸³² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸³³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸³⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁸³⁵
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁸³⁶

¹⁸²⁶ Iowa Code § [708.6](#), unnum. para. 2.

¹⁸²⁷ Iowa Code § [902.9\(1\)\(e\)](#).

¹⁸²⁸ Iowa Code § [902.9\(1\)\(e\)](#).

¹⁸²⁹ Iowa Code § [907.3](#), unnum. para. 1; *id.* § [702.11\(1\)](#) (including felonious “assault” as a forcible felony); *see State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980) (holding that “terrorism” in violation of § [708.6](#) by “doing”—i.e., by “shoot[ing], throw[ing], launch[ing], or discharge[ing] a dangerous weapon”—involves commission of an assault and, therefore is a forcible felony); *see also Phuoc Thanh Nguyen v. State*, 829 N.W.2d 183, 185 & n.1 (Iowa 2013) (noting defendant was charged with “participating in the forcible felony of terrorism” and that “[t]he offense of ‘Terrorism’ was renamed ‘Intimidation with a dangerous weapon’ in 2002 (citation omitted)).

¹⁸³⁰ Iowa Code § [902.9\(1\)\(e\)](#).

¹⁸³¹ Iowa Code § [902.9\(1\)\(e\)](#).

¹⁸³² Iowa Code § [907.3](#), unnum. para. 1; *id.* § [702.11\(1\)](#) (including felonious “assault” as a forcible felony); *see State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980) (holding that “terrorism” in violation of § [708.6](#) by “doing”—i.e., by “shoot[ing], throw[ing], launch[ing], or discharge[ing] a dangerous weapon”—involves commission of an assault and, therefore is a forcible felony); *see also Phuoc Thanh Nguyen v. State*, 829 N.W.2d 183, 185 & n.1 (Iowa 2013) (noting defendant was charged with “participating in the forcible felony of terrorism” and that “[t]he offense of ‘Terrorism’ was renamed ‘Intimidation with a dangerous weapon’ in 2002 (citation omitted)).

¹⁸³³ Iowa Code § [911.1\(1\)](#).

¹⁸³⁴ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

¹⁸³⁵ Iowa Code § [692A.102\(1\)\(a\)\(6\)\(c\)](#).

¹⁸³⁶ Iowa Code § [692A.110](#).

§ 708.6, unnum. para. 2—Threatened intimidation w/ dangerous weapon

Class = “D” felony¹⁸³⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁸³⁸	0 ¹⁸³⁹	No, but see Enhancements	Yes, except no DJ if assault was against peace officer while performing peace officer’s duties ¹⁸⁴⁰ See Notes

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁸⁴¹	\$750 ¹⁸⁴²	Yes ¹⁸⁴³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁴⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁴⁵	Maybe, see Notes	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - The “threatening” version of “intimidation with a dangerous weapon” is not a forcible felony,¹⁸⁴⁶ so not automatically prohibited from receiving a DJ, DS, or SS
- ❖ Sex Registry:
 - Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the assault was sexually motivated per § [692A.126](#)¹⁸⁴⁷
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁴⁸

¹⁸³⁷ Iowa Code § [708.6](#), unnum. para. 2.

¹⁸³⁸ Iowa Code § [902.9](#)(1)(e).

¹⁸³⁹ Iowa Code § [902.9](#)(1)(e).

¹⁸⁴⁰ Iowa Code § [907.3](#) (1)(a)(11).

¹⁸⁴¹ Iowa Code § [902.9](#)(1)(e).

¹⁸⁴² Iowa Code § [902.9](#)(1)(e).

¹⁸⁴³ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁸⁴⁴ Iowa Code § [911.1](#)(1).

¹⁸⁴⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁸⁴⁶ See *State v. Vavrik*, 336 N.W.2d 193, 194 (Iowa 1983) (“[T]he ‘threatening’ form of terrorism [now known as “intimidation with a dangerous weapon”] does not constitute a felonious assault” because “assault [is] not a lesser included offense of the ‘threatens to shoot’ alternative of terrorism.” (citing *State v. Smith*, 309 N.W.2d 454, 456–57 (Iowa 1981))).

¹⁸⁴⁷ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁸⁴⁸ Iowa Code § [692A.110](#).

§ 708.7—Harassment

§ 708.7(2)—First-degree harassment

Class = aggravated misdemeanor¹⁸⁴⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁸⁵⁰	0 ¹⁸⁵¹	None	Yes ¹⁸⁵²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁸⁵³

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁸⁵⁴	\$625 ¹⁸⁵⁵	Yes ¹⁸⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁵⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁵⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:
➤ Must register if:

- Harassment was sexually motivated pursuant to § [692A.126](#)¹⁸⁵⁹
- If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁶⁰

¹⁸⁴⁹ Iowa Code § [708.7](#)(2)(b).

¹⁸⁵⁰ Iowa Code § [903.1](#)(2).

¹⁸⁵¹ Iowa Code § [903.1](#)(2).

¹⁸⁵² See Iowa Code § [907.3](#).

¹⁸⁵³ Iowa Code § [903.1](#)(2).

¹⁸⁵⁴ Iowa Code § [903.1](#)(2).

¹⁸⁵⁵ Iowa Code § [903.1](#)(2).

¹⁸⁵⁶ Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁸⁵⁷ Iowa Code § [911.1](#)(1).

¹⁸⁵⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁸⁵⁹ Iowa Code § [692A.102](#)(1)(a)(6)(a).

¹⁸⁶⁰ Iowa Code § [692A.110](#).

§ 708.7(3)—Second-degree harassment

Class = serious misdemeanor¹⁸⁶¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁸⁶²	0 ¹⁸⁶³	N/A	Yes ¹⁸⁶⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁸⁶⁵	\$315 ¹⁸⁶⁶	No ¹⁸⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁶⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁸⁶⁹	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Harassment was sexually motivated pursuant to § [692A.126](#)¹⁸⁷⁰
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁷¹

¹⁸⁶¹ Iowa Code § [708.7](#)(3)(b).

¹⁸⁶² Iowa Code § [903.1](#)(1)(b).

¹⁸⁶³ Iowa Code § [903.1](#)(1)(b).

¹⁸⁶⁴ See Iowa Code § [907.3](#).

¹⁸⁶⁵ Iowa Code § [903.1](#)(1)(b).

¹⁸⁶⁶ Iowa Code § [903.1](#)(1)(b).

¹⁸⁶⁷ Iowa Code § [903.1](#)(1)(b).

¹⁸⁶⁸ Iowa Code § [911.1](#)(1).

¹⁸⁶⁹ Iowa Code § [81.2](#)(6).

¹⁸⁷⁰ Iowa Code § [692A.102](#)(1)(a)(6)(a).

¹⁸⁷¹ Iowa Code § [692A.110](#).

§ 708.7(4)—Third-degree harassment

Class = simple misdemeanor¹⁸⁷²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁸⁷³	0 ¹⁸⁷⁴	N/A	Yes ¹⁸⁷⁵

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁸⁷⁶	\$65 ¹⁸⁷⁷	No ¹⁸⁷⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁷⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁸⁸⁰	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Harassment was sexually motivated pursuant to § [692A.126](#)¹⁸⁸¹
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁸²

¹⁸⁷² Iowa Code § [708.7](#)(4)(b).

¹⁸⁷³ Iowa Code § [903.1](#)(1)(a).

¹⁸⁷⁴ Iowa Code § [903.1](#)(1)(a).

¹⁸⁷⁵ See Iowa Code § [907.3](#).

¹⁸⁷⁶ Iowa Code § [903.1](#)(1)(a).

¹⁸⁷⁷ Iowa Code § [903.1](#)(1)(a).

¹⁸⁷⁸ Iowa Code § [903.1](#)(1).

¹⁸⁷⁹ Iowa Code § [911.1](#)(1).

¹⁸⁸⁰ Iowa Code § [81.2](#)(6).

¹⁸⁸¹ Iowa Code § [692A.102](#)(1)(a)(6)(a).

¹⁸⁸² Iowa Code § [692A.110](#).

§ 708.8—Going Armed with Intent

Class = “D” felony¹⁸⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ¹⁸⁸⁴	0 ¹⁸⁸⁵	No, but see Enhancements	No, ¹⁸⁸⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁸⁸⁷	\$750 ¹⁸⁸⁸	No, ¹⁸⁸⁹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁸⁹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁸⁹¹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Assault was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § [692A.126](#)¹⁸⁹²
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁸⁹³

¹⁸⁸³ Iowa Code § [708.8](#).

¹⁸⁸⁴ Iowa Code § [902.9](#)(1)(e).

¹⁸⁸⁵ Iowa Code § [902.9](#)(1)(e).

¹⁸⁸⁶ Iowa Code § [907.3](#), unnum. para. 1; *id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *id.* § [708.8](#).

¹⁸⁸⁷ Iowa Code § [902.9](#)(1)(e).

¹⁸⁸⁸ Iowa Code § [902.9](#)(1)(e).

¹⁸⁸⁹ Iowa Code § [907.3](#), unnum. para. 1; *id.* § [702.11](#)(1) (including felonious “assault” as a forcible felony); *id.* § [708.8](#).

¹⁸⁹⁰ Iowa Code § [911.1](#)(1).

¹⁸⁹¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁸⁹² Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁸⁹³ Iowa Code § [692A.110](#).

§ 708.9—Setting spring guns or traps

Class = aggravated misdemeanor¹⁸⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁸⁹⁵	0 ¹⁸⁹⁶	None	Yes ¹⁸⁹⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁸⁹⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁸⁹⁹	\$625 ¹⁹⁰⁰	Yes ¹⁹⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁰²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁰³	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § [692A.126](#)¹⁹⁰⁴
- If yes, the offender shall be assessed a civil penalty of \$250¹⁹⁰⁵

¹⁸⁹⁴ Iowa Code § [708.9](#).

¹⁸⁹⁵ Iowa Code § [903.1](#)(2).

¹⁸⁹⁶ Iowa Code § [903.1](#)(2).

¹⁸⁹⁷ See Iowa Code § [907.3](#).

¹⁸⁹⁸ Iowa Code § [903.1](#)(2).

¹⁸⁹⁹ Iowa Code § [903.1](#)(2).

¹⁹⁰⁰ Iowa Code § [903.1](#)(2).

¹⁹⁰¹ Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁹⁰² Iowa Code § [911.1](#)(1).

¹⁹⁰³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁹⁰⁴ Iowa Code § [692A.102](#)(1)(a)(6)(c).

¹⁹⁰⁵ Iowa Code § [692A.110](#).

§ 708.10—Hazing

§ 708.10(2)—Basic hazing

Class = simple misdemeanor¹⁹⁰⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁹⁰⁷	0 ¹⁹⁰⁸	N/A	Yes ¹⁹⁰⁹

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁹¹⁰	\$65 ¹⁹¹¹	No ¹⁹¹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹¹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁹¹⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § [692A.126](#)¹⁹¹⁵
- If yes, the offender shall be assessed a civil penalty of \$250¹⁹¹⁶

¹⁹⁰⁶ Iowa Code § [708.10](#)(2).

¹⁹⁰⁷ Iowa Code § [903.1](#)(1)(a).

¹⁹⁰⁸ Iowa Code § [903.1](#)(1)(a).

¹⁹⁰⁹ See Iowa Code § [907.3](#).

¹⁹¹⁰ Iowa Code § [903.1](#)(1)(a).

¹⁹¹¹ Iowa Code § [903.1](#)(1)(a).

¹⁹¹² Iowa Code § [903.1](#)(1).

¹⁹¹³ Iowa Code § [911.1](#)(1).

¹⁹¹⁴ Iowa Code § [81.2](#)(6).

¹⁹¹⁵ Iowa Code §§ [692A.102](#)(1)(a)(6)(c), 708.15.

¹⁹¹⁶ Iowa Code § [692A.110](#).

§ 708.10(3)—Hazing causing serious bodily injury

Class = serious misdemeanor¹⁹¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹¹⁸	0 ¹⁹¹⁹	N/A	Yes ¹⁹²⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁹²¹	\$315 ¹⁹²²	No ¹⁹²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ¹⁹²⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § [692A.126](#)¹⁹²⁶
- If yes, the offender shall be assessed a civil penalty of \$250¹⁹²⁷

¹⁹¹⁷ Iowa Code § [708.10](#)(3).

¹⁹¹⁸ Iowa Code § [903.1](#)(1)(b).

¹⁹¹⁹ Iowa Code § [903.1](#)(1)(b).

¹⁹²⁰ See Iowa Code § [907.3](#).

¹⁹²¹ Iowa Code § [903.1](#)(1)(b).

¹⁹²² Iowa Code § [903.1](#)(1)(b).

¹⁹²³ Iowa Code § [903.1](#)(1).

¹⁹²⁴ Iowa Code § [911.1](#)(1).

¹⁹²⁵ Iowa Code § [81.2](#)(6).

¹⁹²⁶ Iowa Code §§ [692A.102](#)(1)(a)(6)(c), 708.15.

¹⁹²⁷ Iowa Code § [692A.110](#).

§ 708.11—Stalking

§ 708.11(3)(a)—Third or subsequent offense

Class = “C” felony¹⁹²⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ¹⁹²⁹	0 ¹⁹³⁰	No, but see Enhancements	Yes ¹⁹³¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ¹⁹³²	\$1000 ¹⁹³³	Yes ¹⁹³⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹³⁵	No	No	Yes, \$100 ¹⁹³⁶	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹³⁷	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Determination is made that offense was sexually motivated pursuant to § [692A.126](#)¹⁹³⁸
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁹³⁹

¹⁹²⁸ Iowa Code § [708.11](#)(3)(a).

¹⁹²⁹ Iowa Code § [902.9](#)(1)(d).

¹⁹³⁰ Iowa Code § [902.9](#)(1)(d).

¹⁹³¹ See Iowa Code § [907.3](#).

¹⁹³² Iowa Code § [902.9](#)(1)(d).

¹⁹³³ Iowa Code § [902.9](#)(1)(d).

¹⁹³⁴ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁹³⁵ Iowa Code § [911.1](#)(1).

¹⁹³⁶ Iowa Code § [911.2B](#)(1).

¹⁹³⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁹³⁸ Iowa Code § [692A.102](#)(1)(a)(6)(b); *accord id.* § [708.11](#)(6) (“For purposes of determining whether or not the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section [692A.126](#).”).

¹⁹³⁹ Iowa Code § [692A.110](#).

§ 708.11(3)(b)—Specific conduct or 2d offense

Class = “D” felony¹⁹⁴⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS. Eligible?
5 years ¹⁹⁴¹	0 ¹⁹⁴²	No, but see Enhancements	Yes ¹⁹⁴³

Fines

Max.	Min.	Can Suspend?
\$7500 ¹⁹⁴⁴	\$750 ¹⁹⁴⁵	Yes ¹⁹⁴⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁴⁷	No	No	Yes, \$100 ¹⁹⁴⁸	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁴⁹	Maybe, see notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Determination is made that offense was sexually motivated pursuant to § [692A.126](#)¹⁹⁵⁰
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁹⁵¹

¹⁹⁴⁰ Iowa Code § [708.11](#)(3)(b).

¹⁹⁴¹ Iowa Code § [902.9](#)(1)(e).

¹⁹⁴² Iowa Code § [902.9](#)(1)(e).

¹⁹⁴³ See Iowa Code § [907.3](#).

¹⁹⁴⁴ Iowa Code § [902.9](#)(1)(e).

¹⁹⁴⁵ Iowa Code § [902.9](#)(1)(e).

¹⁹⁴⁶ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

¹⁹⁴⁷ Iowa Code § [911.1](#)(1).

¹⁹⁴⁸ Iowa Code § [911.2B](#)(1).

¹⁹⁴⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁹⁵⁰ Iowa Code § [692A.102](#)(1)(a)(6)(b) (for violations of § [708.11](#), other than § [708.11](#)(3)(b)(3)); *id.* § [692A.102](#)(1)(b)(8) (for violations of § [708.11](#)(3)(b)(3)); *accord id.* § [708.11](#)(6) (“For purposes of determining whether or not the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section [692A.126](#).”).

¹⁹⁵¹ Iowa Code § [692A.110](#).

§ 708.11(3)(c)—First offense

Class = aggravated misdemeanor¹⁹⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁹⁵³	0 ¹⁹⁵⁴	None	Yes ¹⁹⁵⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term¹⁹⁵⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ¹⁹⁵⁷	\$625 ¹⁹⁵⁸	Yes ¹⁹⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁶⁰	No	No	Yes, \$100 ¹⁹⁶¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ¹⁹⁶²	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Determination is made that offense was sexually motivated pursuant to § [692A.126](#)¹⁹⁶³
 - If yes, the offender shall be assessed a civil penalty of \$250¹⁹⁶⁴

¹⁹⁵² Iowa Code § [708.11](#)(3)(c).

¹⁹⁵³ Iowa Code § [903.1](#)(2).

¹⁹⁵⁴ Iowa Code § [903.1](#)(2).

¹⁹⁵⁵ See Iowa Code § [907.3](#).

¹⁹⁵⁶ Iowa Code § [903.1](#)(2).

¹⁹⁵⁷ Iowa Code § [903.1](#)(2).

¹⁹⁵⁸ Iowa Code § [903.1](#)(2).

¹⁹⁵⁹ Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

¹⁹⁶⁰ Iowa Code § [911.1](#)(1).

¹⁹⁶¹ Iowa Code § [911.2](#)B(1).

¹⁹⁶² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

¹⁹⁶³ Iowa Code § [692A.102](#)(1)(a)(6)(b); *accord id.* § [708.11](#)(6) (“For purposes of determining whether or not the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section [692A.126](#).”).

¹⁹⁶⁴ Iowa Code § [692A.110](#).

§ 708.11A—Unauthorized Placement of Global Positioning Device

Class = serious misdemeanor

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹⁶⁵	0 ¹⁹⁶⁶	N/A	Yes ¹⁹⁶⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁹⁶⁸	\$315 ¹⁹⁶⁹	No ¹⁹⁷⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁷¹					

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits

Notes:

¹⁹⁶⁵ Iowa Code § [903.1](#)(1)(b).

¹⁹⁶⁶ Iowa Code § [903.1](#)(1)(b).

¹⁹⁶⁷ Iowa Code § [907.3](#).

¹⁹⁶⁸ Iowa Code § [903.1](#)(1)(b).

¹⁹⁶⁹ Iowa Code § [903.1](#)(1)(b).

¹⁹⁷⁰ Iowa Code § [903.1](#)(1).

¹⁹⁷¹ Iowa Code § [911.1](#)(1).

§ 708.12—Removal of Officer’s Communication or Control Device

§ 708.12(3)(a)—Basic removal of communication or control device

Class = simple misdemeanor¹⁹⁷²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ¹⁹⁷³	0 ¹⁹⁷⁴	N/A	Yes ¹⁹⁷⁵

Fines

Max.	Min.	Can Suspend?
\$625 ¹⁹⁷⁶	\$65 ¹⁹⁷⁷	No ¹⁹⁷⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁷⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

¹⁹⁷² Iowa Code § [708.12](#)(3)(a).

¹⁹⁷³ Iowa Code § [903.1](#)(1)(a).

¹⁹⁷⁴ Iowa Code § [903.1](#)(1)(a).

¹⁹⁷⁵ See Iowa Code § [907.3](#).

¹⁹⁷⁶ Iowa Code § [903.1](#)(1)(a).

¹⁹⁷⁷ Iowa Code § [903.1](#)(1)(a).

¹⁹⁷⁸ Iowa Code § [903.1](#)(1).

¹⁹⁷⁹ Iowa Code § [911.1](#)(1).

§ 708.12(3)(b)—With intent to interfere

Class = serious misdemeanor¹⁹⁸⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹⁸¹	0 ¹⁹⁸²	N/A	Yes ¹⁹⁸³

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁹⁸⁴	\$315 ¹⁹⁸⁵	No ¹⁹⁸⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁸⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

¹⁹⁸⁰ Iowa Code § [708.12](#)(3)(b).

¹⁹⁸¹ Iowa Code § [903.1](#)(1)(b).

¹⁹⁸² Iowa Code § [903.1](#)(1)(b).

¹⁹⁸³ See Iowa Code § [907.3](#).

¹⁹⁸⁴ Iowa Code § [903.1](#)(1)(b).

¹⁹⁸⁵ Iowa Code § [903.1](#)(1)(b).

¹⁹⁸⁶ Iowa Code § [903.1](#)(1).

¹⁹⁸⁷ Iowa Code § [911.1](#)(1).

§ 708.12(3)(c)—Resulting in bodily injury to officer

Class = serious misdemeanor¹⁹⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ¹⁹⁸⁹	0 ¹⁹⁹⁰	N/A	Yes ¹⁹⁹¹

Fines

Max.	Min.	Can Suspend?
\$1875 ¹⁹⁹²	\$315 ¹⁹⁹³	No ¹⁹⁹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ¹⁹⁹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

¹⁹⁸⁸ Iowa Code § [708.12](#)(3)(c).

¹⁹⁸⁹ Iowa Code § [903.1](#)(1)(b).

¹⁹⁹⁰ Iowa Code § [903.1](#)(1)(b).

¹⁹⁹¹ See Iowa Code § [907.3](#).

¹⁹⁹² Iowa Code § [903.1](#)(1)(b).

¹⁹⁹³ Iowa Code § [903.1](#)(1)(b).

¹⁹⁹⁴ Iowa Code § [903.1](#)(1).

¹⁹⁹⁵ Iowa Code § [911.1](#)(1).

§ 708.12(3)(d)—Resulting in serious injury to the officer

Class = aggravated misdemeanor¹⁹⁹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ¹⁹⁹⁷	0 ¹⁹⁹⁸	None	Yes ¹⁹⁹⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁰⁰⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁰⁰¹	\$625 ²⁰⁰²	Yes ²⁰⁰³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁰⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁰⁵	No	No

Notes:

¹⁹⁹⁶ Iowa Code § [708.12](#)(3)(d).

¹⁹⁹⁷ Iowa Code § [903.1](#)(2).

¹⁹⁹⁸ Iowa Code § [903.1](#)(2).

¹⁹⁹⁹ See Iowa Code § [907.3](#).

²⁰⁰⁰ Iowa Code § [903.1](#)(2).

²⁰⁰¹ Iowa Code § [903.1](#)(2).

²⁰⁰² Iowa Code § [903.1](#)(2).

²⁰⁰³ Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

²⁰⁰⁴ Iowa Code § [911.1](#)(1).

²⁰⁰⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 708.12(3)(e)—While knowingly or intentionally causing bodily injury to officer

Class = aggravated misdemeanor²⁰⁰⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, Ds, or SS Eligible?
2 years ²⁰⁰⁷	0 ²⁰⁰⁸	None	Yes except no DJ if offense was against peace officer while performing peace officer's duties ²⁰⁰⁹ (if offense qualifies as an "assault" per § 907.3(1)(a)(11), ²⁰¹⁰ see Notes)

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁰¹¹

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁰¹²	\$625 ²⁰¹³	Yes ²⁰¹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰¹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰¹⁶	No	No

Notes:

❖ DJ, DS, or SS Eligible:

- if the alternative elements of assault in § 708.1(2) are compared with the elements of this offense, and in light of *State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980), this offense could qualify as an "assault"
 - however, the Iowa Criminal Law Handbook does not list assault as a lesser included offense of this offense and the Iowa Supreme Court has not explicitly held one way or the other

²⁰⁰⁶ Iowa Code § 708.12(3)(e).

²⁰⁰⁷ Iowa Code § 903.1(2).

²⁰⁰⁸ Iowa Code § 903.1(2).

²⁰⁰⁹ Iowa Code § 907.3 (1)(a)(11).

²⁰¹⁰ For Iowa Code § 907.3(1)(a)(11) to apply, the offense must be an "assault" as defined in § 708.1 (i.e., basic assault). However, the language of § 708.12 ("removal of an officer's communication or control device") does not explicitly require there to be an assault as defined in § 708.1 in order for there to be a violation of § 708.12. As of April 5, 2017, there is no case law indicting whether removal of an officer's communication or control device involves conduct that would constitute an assault as defined in § 708.1.

²⁰¹¹ Iowa Code § 903.1(2).

²⁰¹² Iowa Code § 903.1(2).

²⁰¹³ Iowa Code § 903.1(2).

²⁰¹⁴ Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999)

²⁰¹⁵ Iowa Code § 911.1(1).

²⁰¹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 708.12(3)(f)—Removal and knowingly or intentionally causes serious injury to officer

Class = “D” felony²⁰¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁰¹⁸	0 ²⁰¹⁹	None	Yes except no DJ if offense was against peace officer while performing peace officer’s duties ²⁰²⁰ (if offense qualifies as an “assault” per § 907.3(1)(a)(11), ²⁰²¹ see Notes)

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁰²²	\$750 ²⁰²³	Yes ²⁰²⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰²⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰²⁶	No	No

Notes:

❖ DJ, DS, or SS Eligible?

- This crime is not a forcible felony,²⁰²⁷ so not automatically precluded from receiving a DJ, DS, or SS
- if the alternative elements of assault in § 708.1(2) are compared with the elements of this offense, and in light of *State v. Young*, 293 N.W.2d 5, 7–8 (Iowa 1980), this offense could qualify as an “assault”
 - however, the Iowa Criminal Law Handbook does not list assault as a lesser included offense of this offense and the Iowa Supreme Court has not explicitly held one way or the other

²⁰¹⁷ Iowa Code § 708.12(3)(f).

²⁰¹⁸ Iowa Code § 902.9(1)(e).

²⁰¹⁹ Iowa Code § 902.9(1)(e).

²⁰²⁰ Iowa Code § 907.3 (1)(a)(11).

²⁰²¹ For Iowa Code § 907.3 (1)(a)(11) to apply, the offense must be an “assault” as defined in § 708.1 (i.e., basic assault). However, the language of § 708.12 (“removal of an officer’s communication or control device”) does not explicitly require there to be an assault as defined in § 708.1 in order for there to be a violation of § 708.12. As of April 5, 2017, there is no case law indicating whether removal of an officer’s communication or control device involves conduct that would constitute an assault as defined in § 708.1.

²⁰²² Iowa Code § 902.9(1)(e).

²⁰²³ Iowa Code § 902.9(1)(e).

²⁰²⁴ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁰²⁵ Iowa Code § 911.1(1).

²⁰²⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a).

²⁰²⁷ Iowa Code § 702.11(2)(h).

§ 708.13—Disarming a Peace Officer of a Dangerous Weapon

§ 708.13(2)—Basic disarming

Class = “D” felony²⁰²⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁰²⁹	0 ²⁰³⁰	No, but see Enhancements	Yes ²⁰³¹

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁰³²	\$750 ²⁰³³	Yes ²⁰³⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰³⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰³⁶	No	No

Notes:

²⁰²⁸ Iowa Code § [708.13](#)(2).

²⁰²⁹ Iowa Code § [902.9](#)(1)(e).

²⁰³⁰ Iowa Code § [902.9](#)(1)(e).

²⁰³¹ See Iowa Code § [907.3](#).

²⁰³² Iowa Code § [902.9](#)(1)(e).

²⁰³³ Iowa Code § [902.9](#)(1)(e).

²⁰³⁴ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁰³⁵ Iowa Code § [911.1](#)(1).

²⁰³⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 708.13(3)—Discharge of dangerous weapon while disarming peace officer

Class = “C” felony²⁰³⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁰³⁸	0 ²⁰³⁹	No, but see Enhancements	Yes ²⁰⁴⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁰⁴¹	\$1000 ²⁰⁴²	Yes ²⁰⁴³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁴⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁴⁵	No	No

Notes:

²⁰³⁷ Iowa Code § [708.13](#)(3).

²⁰³⁸ Iowa Code § [902.9](#)(1)(d).

²⁰³⁹ Iowa Code § [902.9](#)(1)(d).

²⁰⁴⁰ See Iowa Code § [907.3](#).

²⁰⁴¹ Iowa Code § [902.9](#)(1)(d).

²⁰⁴² Iowa Code § [902.9](#)(1)(d).

²⁰⁴³ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁰⁴⁴ Iowa Code § [911.1](#)(1).

²⁰⁴⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 708.14—Abuse of a Corpse

Class = “D” felony²⁰⁴⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁰⁴⁷	0 ²⁰⁴⁸	No, but see Enhancements	Yes ²⁰⁴⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁰⁵⁰	\$750 ²⁰⁵¹	Yes ²⁰⁵²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁵³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁵⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § [692A.126](#)²⁰⁵⁵
 - If yes, the offender shall be assessed a civil penalty of \$250²⁰⁵⁶

²⁰⁴⁶ Iowa Code § [708.14](#)(2).

²⁰⁴⁷ Iowa Code § [902.9](#)(1)(e).

²⁰⁴⁸ Iowa Code § [902.9](#)(1)(e).

²⁰⁴⁹ See Iowa Code § [907.3](#).

²⁰⁵⁰ Iowa Code § [902.9](#)(1)(e).

²⁰⁵¹ Iowa Code § [902.9](#)(1)(e).

²⁰⁵² See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁰⁵³ Iowa Code § [911.1](#)(1).

²⁰⁵⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁰⁵⁵ Iowa Code §§ [692A.102](#)(1)(a)(6)(c), 708.15.

²⁰⁵⁶ Iowa Code § [692A.110](#).

§ 708.16—Female Genital Mutilation

§ 708.16(1)—Female genital mutilation

Class = “D” felony²⁰⁵⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁰⁵⁸	0 ²⁰⁵⁹	No, but see Enhancements	Yes ²⁰⁶⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁰⁶¹	\$750 ²⁰⁶²	Yes ²⁰⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁶⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁶⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § [692A.126](#)²⁰⁶⁶
 - If yes, the offender shall be assessed a civil penalty of \$250²⁰⁶⁷

²⁰⁵⁷ [Iowa Code § 708.16\(1\)\(2019\)](#) (added by 2019 Iowa Acts ch. 47, § 1, effective 7/1/2019).

²⁰⁵⁸ Iowa Code § [902.9](#)(1)(e).

²⁰⁵⁹ Iowa Code § [902.9](#)(1)(e).

²⁰⁶⁰ See Iowa Code § [907.3](#).

²⁰⁶¹ Iowa Code § [902.9](#)(1)(e).

²⁰⁶² Iowa Code § [902.9](#)(1)(e).

²⁰⁶³ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁰⁶⁴ Iowa Code § [911.1](#)(1).

²⁰⁶⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁰⁶⁶ Iowa Code §§ [692A.102](#)(1)(a)(6)(c), 708.15.

²⁰⁶⁷ Iowa Code § [692A.110](#).

§ 708.16—Female Genital Mutilation

§ 708.16(4)—Transporting a minor for procedure

Class = “D” felony²⁰⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁰⁶⁹	0 ²⁰⁷⁰	No, but see Enhancements	Yes ²⁰⁷¹

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁰⁷²	\$750 ²⁰⁷³	Yes ²⁰⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁰⁷⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁷⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - Offense was committed against a minor *and* fact-finder determined beyond a reasonable doubt the offense was sexually motivated per § [692A.126](#)²⁰⁷⁷
 - If yes, the offender shall be assessed a civil penalty of \$250²⁰⁷⁸

²⁰⁶⁸ [Iowa Code § 708.16\(4\)\(2019\)](#) (added by 2019 Iowa Acts ch. 47, § 1, effective 7/1/2019).

²⁰⁶⁹ Iowa Code § [902.9](#)(1)(e).

²⁰⁷⁰ Iowa Code § [902.9](#)(1)(e).

²⁰⁷¹ See Iowa Code § [907.3](#).

²⁰⁷² Iowa Code § [902.9](#)(1)(e).

²⁰⁷³ Iowa Code § [902.9](#)(1)(e).

²⁰⁷⁴ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁰⁷⁵ Iowa Code § [911.1](#)(1).

²⁰⁷⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁰⁷⁷ Iowa Code §§ [692A.102](#)(1)(a)(6)(c), 708.15.

²⁰⁷⁸ Iowa Code § [692A.110](#).

CH. 708A TERRORISM

§ 708A.2—Terrorism

Class = “B” felony²⁰⁷⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ²⁰⁸⁰	0 ²⁰⁸¹	No, but see Enhancements	Yes ²⁰⁸²

Fines

Max.	Min.	Can Suspend?
0 ²⁰⁸³	0 ²⁰⁸⁴	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁸⁵	No	No

Notes:

²⁰⁷⁹ Iowa Code § [708A.2](#).

²⁰⁸⁰ Iowa Code § [708A.2](#).

²⁰⁸¹ Iowa Code § [902.9](#)(1)(b).

²⁰⁸² See Iowa Code § [907.3](#).

²⁰⁸³ See Iowa Code § [902.9](#)(1)(b).

²⁰⁸⁴ See Iowa Code § [902.9](#)(1)(b).

²⁰⁸⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 708A.4—Soliciting or Providing Support or Resources for Terrorism

§ 708A.4(1)—Providing material support in excess of \$1000

Class = “B” felony²⁰⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁰⁸⁷	0 ²⁰⁸⁸	No, but see Enhancements	Yes ²⁰⁸⁹

Fines

Max.	Min.	Can Suspend?
0 ²⁰⁹⁰	0 ²⁰⁹¹	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁰⁹²	No	No

Notes:

²⁰⁸⁶ Iowa Code § 708A.4(1).

²⁰⁸⁷ Iowa Code § 902.9(1)(b).

²⁰⁸⁸ Iowa Code § 902.9(1)(b).

²⁰⁸⁹ See Iowa Code § 907.3.

²⁰⁹⁰ See Iowa Code § 902.9(1)(b).

²⁰⁹¹ See Iowa Code § 902.9(1)(b).

²⁰⁹² Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 708A.4(2)—Providing material support under \$1000

Class = “C” felony²⁰⁹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁰⁹⁴	0 ²⁰⁹⁵	No, but see Enhancements	Yes ²⁰⁹⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁰⁹⁷	\$1000 ²⁰⁹⁸	Yes ²⁰⁹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁰⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁰¹	No	No

Notes:

²⁰⁹³ Iowa Code § 708A.4(2).

²⁰⁹⁴ Iowa Code § 902.9(1)(d).

²⁰⁹⁵ Iowa Code § 902.9(1)(d).

²⁰⁹⁶ See Iowa Code § 907.3.

²⁰⁹⁷ Iowa Code § 902.9(1)(d).

²⁰⁹⁸ Iowa Code § 902.9(1)(d).

²⁰⁹⁹ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²¹⁰⁰ Iowa Code § 911.1(1).

²¹⁰¹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 708A.5—Threat of Terrorism

Class = “D” felony²¹⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²¹⁰³	0 ²¹⁰⁴	No, but see Enhancements	Yes ²¹⁰⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ²¹⁰⁶	\$750 ²¹⁰⁷	Yes ²¹⁰⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁰⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹¹⁰	No	No

Notes:

²¹⁰² Iowa Code § [708A.5](#).

²¹⁰³ Iowa Code § [902.9](#)(1)(e).

²¹⁰⁴ Iowa Code § [902.9](#)(1)(e).

²¹⁰⁵ See Iowa Code § [907.3](#).

²¹⁰⁶ Iowa Code § [902.9](#)(1)(e).

²¹⁰⁷ Iowa Code § [902.9](#)(1)(e).

²¹⁰⁸ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²¹⁰⁹ Iowa Code § [911.1](#)(1).

²¹¹⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 708A.6—Obstruction of Terrorism Prosecution

§ 708A.6(1)—Criminal assistance that results in murder of a third person

Class = “B” felony²¹¹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²¹¹²	0 ²¹¹³	No, but see Enhancements	Yes ²¹¹⁴

Fines

Max.	Min.	Can Suspend?
0 ²¹¹⁵	0 ²¹¹⁶	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹¹⁷	No	No

Notes:

²¹¹¹ Iowa Code § [708A.6](#).

²¹¹² Iowa Code § [902.9](#)(1)(b).

²¹¹³ Iowa Code § [902.9](#)(1)(b).

²¹¹⁴ See Iowa Code § [907.3](#).

²¹¹⁵ See Iowa Code § [902.9](#)(1)(b).

²¹¹⁶ See Iowa Code § [902.9](#)(1)(b).

²¹¹⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 708A.6(2)—Criminal assistance

Class = “C” felony²¹¹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²¹¹⁹	0 ²¹²⁰	No, but see Enhancements	Yes ²¹²¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ²¹²²	\$1000 ²¹²³	Yes ²¹²⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹²⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹²⁶	No	No

Notes:

²¹¹⁸ Iowa Code § [708A.6](#)(2).

²¹¹⁹ Iowa Code § [902.9](#)(1)(d).

²¹²⁰ Iowa Code § [902.9](#)(1)(d).

²¹²¹ See Iowa Code § [907.3](#).

²¹²² Iowa Code § [902.9](#)(1)(d).

²¹²³ Iowa Code § [902.9](#)(1)(d).

²¹²⁴ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²¹²⁵ Iowa Code § [911.1](#)(1).

²¹²⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

CH. 709 SEXUAL ABUSE

§ 709.2—First-Degree Sexual Abuse

Class = “A” felony²¹²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, ²¹²⁸ but see Under 18 Sentencing	Life, ²¹²⁹ but see Under 18 Sentencing	Not eligible, ²¹³⁰ but see Under 18 Sentencing	No, ²¹³¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²¹³²	0 ²¹³³	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	Yes, \$100 ²¹³⁴	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹³⁵	Yes ²¹³⁶ The offender shall be assessed a civil penalty of \$250 ²¹³⁷	No

Notes:

- ❖ Special Sentence for Life²¹³⁸:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. [906](#)
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

²¹²⁷ Iowa Code § [709.2](#), unnum. para. 2.

²¹²⁸ Iowa Code § [902.1](#)(1).

²¹²⁹ Iowa Code § [902.1](#)(1).

²¹³⁰ Iowa Code § [902.1](#)(1).

²¹³¹ Iowa Code § [902.1](#)(1).

²¹³² See Iowa Code § [902.1](#)(1).

²¹³³ See Iowa Code § [902.1](#)(1).

²¹³⁴ Iowa Code § [911.2](#)B(1).

²¹³⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²¹³⁶ Iowa Code § [692A.102](#)(1)(c)(7).

²¹³⁷ Iowa Code § [692A.110](#).

²¹³⁸ Iowa Code § [903B.1](#).

§ 709.3—Second-Degree Sexual Abuse

Class = “B” felony²¹³⁹

- ❖ If violation of § 709.3 is a second or subsequent offense involving any combination of violations of §§ 709.3, 709.4, or 709.8(1)(a) or (b), class = “A” felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years, ²¹⁴⁰ but see Enhancements	0 ²¹⁴¹	Not eligible until has served 70% of 25 years, ²¹⁴² but see Under 18 Sentencing See also Enhancements ❖ Note: violation of § 709.3 is a SPO ²¹⁴³ and a SVO ²¹⁴⁴	No, ²¹⁴⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²¹⁴⁶	0 ²¹⁴⁷	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	Yes, \$100 ²¹⁴⁸	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁴⁹	Yes ²¹⁵⁰ The offender shall be assessed a civil penalty of \$250 ²¹⁵¹	No

Notes:

- ❖ Special Sentence for Life²¹⁵²:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”

²¹³⁹ Iowa Code § 709.3(2).

²¹⁴⁰ Iowa Code § 902.9(1)(b).

²¹⁴¹ Iowa Code § 902.9(1)(b).

²¹⁴² Iowa Code § 902.12(1)(c).

²¹⁴³ Iowa Code § 229A.2(1).

²¹⁴⁴ Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹⁴⁵ Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²¹⁴⁶ *See* Iowa Code § 902.9(1)(b).

²¹⁴⁷ *See* Iowa Code § 902.9(1)(b).

²¹⁴⁸ Iowa Code § 911.2B(1).

²¹⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

²¹⁵⁰ Iowa Code § 692A.102(1)(a)(1), (c)(8), (c)(9).

²¹⁵¹ Iowa Code § 692A.110.

²¹⁵² Iowa Code § 903B.1.

- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.4—Third-Degree Sexual Abuse

Class = “C” felony²¹⁵³

- ❖ If violation of § 709.3 is a second or subsequent offense involving any combination of violations of §§ 709.3, 709.4, or 709.8(1)(a) or (b), class = “A” felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²¹⁵⁴	0 ²¹⁵⁵	No, but see Enhancements ❖ Note: violation of § 709.4 is a SPO ²¹⁵⁶ and a SVO ²¹⁵⁷	No, ²¹⁵⁸ but see Under 18 Sentencing ❖ exceptions: ➢ if violation is of § 709.4(1)(b)(3)(d), ²¹⁵⁹ or ➢ if offense is between spouses ²¹⁶⁰ ❖ but not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²¹⁶¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ²¹⁶²	\$1000 ²¹⁶³	No, ²¹⁶⁴ but see Under 18 Sentencing ❖ exceptions: ➢ if violation is of § 709.4(1)(b)(3)(d), ²¹⁶⁵ or ➢ if offense is between spouses ²¹⁶⁶ ❖ but not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²¹⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁶⁸	No	No	Yes, \$100 ²¹⁶⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁷⁰	Yes ²¹⁷¹	No

²¹⁵³ Iowa Code § 709.4(2).

²¹⁵⁴ Iowa Code § 902.9(1)(d).

²¹⁵⁵ Iowa Code § 902.9(1)(d).

²¹⁵⁶ Iowa Code § 229A.2 (1).

²¹⁵⁷ Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹⁵⁸ Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²¹⁵⁹ Iowa Code § 702.11(2)(c) (indicating third-degree sexual abuse in violation of § 709.4(1)(b)(3)(d) is not a forcible felony).

²¹⁶⁰ Iowa Code § 702.11(2)(b) (indicating third-degree sexual abuse between spouses is not a forcible felony).

²¹⁶¹ Iowa Code § 907.3, unnum. para..

²¹⁶² Iowa Code § 902.9(1)(b).

²¹⁶³ Iowa Code § 902.9(1)(b).

²¹⁶⁴ Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious “sexual abuse” as a forcible felony).

²¹⁶⁵ Iowa Code § 702.11(2)(c) (indicating third-degree sexual abuse in violation of § 709.4(1)(b)(3)(d) is not a forcible felony).

²¹⁶⁶ Iowa Code § 702.11(2)(b) (indicating third-degree sexual abuse between spouses is not a forcible felony).

²¹⁶⁷ Iowa Code § 907.3, unnum. para..

²¹⁶⁸ Iowa Code § 911.1(1).

²¹⁶⁹ Iowa Code § 911.2B(1).

²¹⁷⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a).

²¹⁷¹ Iowa Code § 692A.102(1)(a)(2)–(4), (c)(10)–(11).

		The offender shall be assessed a civil penalty of \$250 ²¹⁷²	
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Notes:

- ❖ Special Sentence for Life²¹⁷³:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. [906](#)
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

²¹⁷² Iowa Code § [692A.110](#).

²¹⁷³ Iowa Code § [903B.1](#).

§ 709.8—Lascivious Acts with a Child

§ 709.8(1)(a)—Fondling or touching child

Class = “C” felony²¹⁷⁴

If violation of § [709.3](#) is a second or subsequent offense involving any combination of violations of §§ [709.3](#), [709.4](#), or [709.8\(1\)\(a\)](#) or (b), class = “A” felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²¹⁷⁵	0 ²¹⁷⁶	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²¹⁷⁷ and a SVO ²¹⁷⁸	Yes, ²¹⁷⁹ except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²¹⁸⁰ ❖ for DJ if child was age 12 or younger ²¹⁸¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ²¹⁸²	\$1000 ²¹⁸³	Yes, unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²¹⁸⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²¹⁸⁵	No	No	Yes, \$100 ²¹⁸⁶	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²¹⁸⁷	Yes ²¹⁸⁸ The offender shall be assessed a civil penalty of \$250 ²¹⁸⁹	No

Notes:

❖ Special Sentence for Life²¹⁹⁰:

²¹⁷⁴ Iowa Code § [709.8](#)(2)(a).

²¹⁷⁵ Iowa Code § [902.9](#)(1)(d).

²¹⁷⁶ Iowa Code § [902.9](#)(1)(d).

²¹⁷⁷ Iowa Code § [229A.2](#)(1).

²¹⁷⁸ Iowa Code § [229A.2](#)(11) (a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²¹⁷⁹ *See Iowa Code § 907.3; State v. Graves*, 491 N.W.2d 780, 782 (Iowa 1992) (holding felonious lascivious acts with a child in violation of § [709.8](#) is not a forcible felony).

²¹⁸⁰ Iowa Code § [907.3](#), unnum. para..

²¹⁸¹ Iowa Code § [907.3](#)(1)(a)(13).

²¹⁸² Iowa Code § [902.9](#)(1)(d).

²¹⁸³ Iowa Code § [902.9](#)(1)(d).

²¹⁸⁴ *See Iowa Code § 907.3*, unnum. para..

²¹⁸⁵ Iowa Code § [911.1](#)(1).

²¹⁸⁶ Iowa Code § [911.2B](#)(1).

²¹⁸⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²¹⁸⁸ Iowa Code § [692A.102](#)(1)(c)(12).

²¹⁸⁹ Iowa Code § [692A.110](#).

²¹⁹⁰ Iowa Code § [903B.1](#).

- person committed to custody of the director of the Iowa Dep't of Corrections for the rest of the person's life, with eligibility for parole per ch. [906](#)
- is in addition to any other punishment imposed
- Commences "upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense"
- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.8(1)(b)—Permitting or causing child to fondle or touch

Class = “C” felony²¹⁹¹

If violation of § 709.3 is a second or subsequent offense involving any combination of violations of §§ 709.3, 709.4, or 709.8(1)(a) or (b), class = “A” felony, see Enhancements

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²¹⁹²	0 ²¹⁹³	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²¹⁹⁴ and a SVO ²¹⁹⁵	Yes, ²¹⁹⁶ except: ❖ not eligible if offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²¹⁹⁷ ❖ not eligible for DJ if child was age 12 or younger ²¹⁹⁸

Fines

Max.	Min.	Can Suspend?
\$10,000 ²¹⁹⁹	\$1000 ²²⁰⁰	Yes, unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁰²	No	No	Yes, \$100 ²²⁰³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁰⁴	Yes ²²⁰⁵ The offender shall be assessed a civil penalty of \$250 ²²⁰⁶	No

Notes:

- ❖ Special Sentence for Life²²⁰⁷:

²¹⁹¹ Iowa Code § 709.8(2)(a).

²¹⁹² Iowa Code § 902.9(1)(d).

²¹⁹³ Iowa Code § 902.9(1)(d).

²¹⁹⁴ Iowa Code § 229A.2(1).

²¹⁹⁵ Iowa Code § 229A.2(11) (a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²¹⁹⁶ *See Iowa Code § 907.3; State v. Graves*, 491 N.W.2d 780, 782 (Iowa 1992) (holding felonious lascivious acts with a child in violation of § 709.8 is not a forcible felony).

²¹⁹⁷ Iowa Code § 907.3, unnum. para..

²¹⁹⁸ Iowa Code § 907.3 (1)(a)(13).

²¹⁹⁹ Iowa Code § 902.9(1)(d).

²²⁰⁰ Iowa Code § 902.9(1)(d).

²²⁰¹ *See Iowa Code § 907.3*, unnum. para..

²²⁰² Iowa Code § 911.1(1).

²²⁰³ Iowa Code § 911.2B(1).

²²⁰⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a).

²²⁰⁵ Iowa Code § 692A.102(1)(c)(12).

²²⁰⁶ Iowa Code § 692A.110.

²²⁰⁷ Iowa Code § 903B.1.

- person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. [906](#)
- is in addition to any other punishment imposed
- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.8(1)(c)—Causing touching of person's genitals to body of child

Class = “C” felony²²⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²²⁰⁹	0 ²²¹⁰	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²²¹¹ and a SVO ²²¹²	Yes, ²²¹³ except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²¹⁴ ❖ for DJ if child was age 12 or younger ²²¹⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ²²¹⁶	\$1000 ²²¹⁷	Yes, ²²¹⁸ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²¹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²²⁰	No	No	Yes, \$100 ²²²¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²²²	Yes ²²²³ The offender shall be assessed a civil penalty of \$250 ²²²⁴	No

Notes:

- ❖ Special Sentence for Life²²²⁵:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed

²²⁰⁸ Iowa Code § 709.8(2)(a).

²²⁰⁹ Iowa Code § 902.9(1)(d).

²²¹⁰ Iowa Code § 902.9(1)(d).

²²¹¹ Iowa Code § 229A.2(1).

²²¹² Iowa Code § 229A.2(11) (a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²²¹³ *See Iowa Code § 907.3; State v. Graves*, 491 N.W.2d 780, 782 (Iowa 1992) (holding felonious lascivious acts with a child in violation of § 709.8 is not a forcible felony).

²²¹⁴ Iowa Code § 907.3, unnum. para..

²²¹⁵ Iowa Code § 907.3(1)(a)(13).

²²¹⁶ Iowa Code § 902.9(1)(d).

²²¹⁷ Iowa Code § 902.9(1)(d).

²²¹⁸ *See Iowa Code § 902.9(1)(d); State v. Ayers*, 590 N.W.2d 25 , 31 (Iowa 1999).

²²¹⁹ *See Iowa Code § 907.3*, unnum. para..

²²²⁰ Iowa Code § 911.1(1).

²²²¹ Iowa Code § 911.2B(1).

²²²² Iowa Code §§ 81.2(1), 901.5(8A)(a).

²²²³ Iowa Code § 692A.102(4); *see id.* § 229A.2(1)(a).

²²²⁴ Iowa Code § 692A.110.

²²²⁵ Iowa Code § 903B.1.

- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.8(1)(d)—Soliciting child to engage in sex act or person to arrange sex act with child

Class = “D” felony²²²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²²²⁷	0 ²²²⁸	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²²²⁹ and a SVO ²²³⁰	Yes, ²²³¹ except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²³² ❖ for DJ if child was age 12 or younger ²²³³

Fines

Max.	Min.	Can Suspend?
\$7500 ²²³⁴	\$750 ²²³⁵	Yes, ²²³⁶ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²³⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²³⁸	No	No	Yes, \$100 ²²³⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁴⁰	Yes ²²⁴¹ The offender shall be assessed a civil penalty of \$250 ²²⁴²	No

Notes:

- ❖ Special Sentence for 10 years²²⁴³:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
 - is in addition to any other punishment imposed

²²²⁶ Iowa Code § [709.8](#)(2)(b).

²²²⁷ Iowa Code § [902.9](#)(1)(e).

²²²⁸ Iowa Code § [902.9](#)(1)(e).

²²²⁹ Iowa Code § [229A.2](#)(1).

²²³⁰ Iowa Code § [229A.2](#)(11)(a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²²³¹ *See Iowa Code § [907.3](#); State v. Graves*, 491 N.W.2d 780, 782 (Iowa 1992) (holding felonious lascivious acts with a child in violation of § [709.8](#) is not a forcible felony).

²²³² Iowa Code § [907.3](#), unnum. para..

²²³³ Iowa Code § [907.3](#)(1)(a)(13).

²²³⁴ Iowa Code § [902.9](#)(1)(e).

²²³⁵ Iowa Code § [902.9](#)(1)(e).

²²³⁶ *See Iowa Code § [902.9](#)(1)(e); State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²²³⁷ *See Iowa Code § [907.3](#), unnum. para..*

²²³⁸ Iowa Code § [911.1](#)(1).

²²³⁹ Iowa Code § [911.2B](#)(1).

²²⁴⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²²⁴¹ Iowa Code § [692A.102](#)(1)(b)(1).

²²⁴² Iowa Code § [692A.110](#).

²²⁴³ Iowa Code § [903B.2](#).

- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.8(1)(e)—Inflicting pain or discomfort upon child or permitting child to inflict pain or discomfort on person

Class = “D” felony²²⁴⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²²⁴⁵	0 ²²⁴⁶	No, but see Enhancements ❖ Note: violation of § 709.8 is a SPO ²²⁴⁷ and a SVO ²²⁴⁸	Yes, ²²⁴⁹ except not eligible: ❖ if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²⁵⁰ ❖ for DJ if child was age 12 or younger ²²⁵¹

Fines

Max.	Min.	Can Suspend?
\$7500 ²²⁵²	\$750 ²²⁵³	Yes, ²²⁵⁴ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²⁵⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁵⁶	No	No	Yes, \$100 ²²⁵⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁵⁸	Yes ²²⁵⁹ The offender shall be assessed a civil penalty of \$250 ²²⁶⁰	No

Notes:

- ❖ Special Sentence for 10 years²²⁶¹:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
 - is in addition to any other punishment imposed

²²⁴⁴ Iowa Code § [709.8](#)(2)(b).

²²⁴⁵ Iowa Code § [902.9](#)(1)(e).

²²⁴⁶ Iowa Code § [902.9](#)(1)(e).

²²⁴⁷ Iowa Code § [229A.2](#)(1).

²²⁴⁸ Iowa Code § [229A.2](#)(11)(a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²²⁴⁹ *See Iowa Code § [907.3](#) ; State v. Graves*, 491 N.W.2d 780, 782 (Iowa 1992) (holding felonious lascivious acts with a child in violation of § [709.8](#) is not a forcible felony).

²²⁵⁰ Iowa Code § [907.3](#), unnum. para..

²²⁵¹ Iowa Code § [907.3](#) (1)(a)(13).

²²⁵² Iowa Code § [902.9](#)(1)(e).

²²⁵³ Iowa Code § [902.9](#)(1)(e).

²²⁵⁴ *See Iowa Code § [902.9](#)(1)(e); State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²²⁵⁵ *See Iowa Code § [907.3](#)*, unnum. para..

²²⁵⁶ Iowa Code § [911.1](#)(1).

²²⁵⁷ Iowa Code § [911.2B](#)(1).

²²⁵⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²²⁵⁹ Iowa Code § [692A.102](#)(1)(b)(1).

²²⁶⁰ Iowa Code § [692A.110](#).

²²⁶¹ Iowa Code § [903B.2](#).

- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.9—Indecent Exposure

Class = serious misdemeanor²²⁶²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²²⁶³	0 ²²⁶⁴	N/A, but violation of § 709.9 is a SPO ²²⁶⁵ and a SVO, ²²⁶⁶ so see Enhancements	Yes, ²²⁶⁷ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²²⁶⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ²²⁶⁹	\$315 ²²⁷⁰	No ²²⁷¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁷²	No	No	Yes, \$100 ²²⁷³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁷⁴	Yes ²²⁷⁵ The offender shall be assessed a civil penalty of \$250 ²²⁷⁶	No

Notes:

²²⁶² Iowa Code § [709.9](#).

²²⁶³ Iowa Code § [903.1](#)(1)(b).

²²⁶⁴ Iowa Code § [903.1](#)(1)(b).

²²⁶⁵ Iowa Code § [229A.2](#)(1).

²²⁶⁶ Iowa Code § [229A.2](#)(11)(a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²²⁶⁷ *See* Iowa Code § [907.3](#).

²²⁶⁸ Iowa Code § [907.3](#), unnum. para..

²²⁶⁹ Iowa Code § [903.1](#)(1)(b).

²²⁷⁰ Iowa Code § [903.1](#)(1)(b).

²²⁷¹ Iowa Code § [903.1](#)(1).

²²⁷² Iowa Code § [911.1](#)(1).

²²⁷³ Iowa Code § [911.2](#)B(1).

²²⁷⁴ Iowa Code § [81.2](#)(6).

²²⁷⁵ Iowa Code § [692A.102](#)(1)(a)(5).

²²⁷⁶ Iowa Code § [692A.110](#).

§ 709.11—Assault with Intent to Commit Sexual Abuse

§ 709.11(1)—Causing serious injury

Class = “C” felony²²⁷⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²²⁷⁸	0 ²²⁷⁹	No, but see Enhancements ❖ Note: violation of § 709.11 is a SPO ²²⁸⁰ and a SVO ²²⁸¹	No, ²²⁸² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²²⁸³	\$1000 ²²⁸⁴	No, ²²⁸⁵ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²²⁸⁶	No	No	Yes, \$100 ²²⁸⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²²⁸⁸	Yes ²²⁸⁹ The offender shall be assessed a civil penalty of \$250 ²²⁹⁰	No

Notes:

- ❖ Special Sentence for Life²²⁹¹:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for the rest of the person’s life, with eligibility for parole per ch. [906](#)
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

²²⁷⁷ Iowa Code § [709.11](#)(1).

²²⁷⁸ Iowa Code § [902.9](#)(1)(d).

²²⁷⁹ Iowa Code § [902.9](#)(1)(d).

²²⁸⁰ Iowa Code § [229A.2](#)(1).

²²⁸¹ Iowa Code § [229A.2](#)(11)(a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²²⁸² *See* Iowa Code § [907.3](#), unnum. para.; *see also id.* § [702.11](#)(1) (indicating felonious “assault” is a forcible felony).

²²⁸³ Iowa Code § [902.9](#)(1)(d).

²²⁸⁴ Iowa Code § [902.9](#)(1)(d).

²²⁸⁵ *See* Iowa Code § [907.3](#), unnum. para.; *see also id.* § [702.11](#)(1) (indicating felonious “assault” is a forcible felony).

²²⁸⁶ Iowa Code § [911.1](#)(1).

²²⁸⁷ Iowa Code § [911.2B](#)(1).

²²⁸⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²²⁸⁹ Iowa Code § [692A.102](#)(1)(c) (15).

²²⁹⁰ Iowa Code § [692A.110](#).

²²⁹¹ Iowa Code § [903B.1](#).

§ 709.11(2)—Causing bodily injury

Class = “D” felony²²⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²²⁹³	0 ²²⁹⁴	No, but see Enhancements ❖ Note: violation of § 709.11 is a SPO ²²⁹⁵ and a SVO ²²⁹⁶	No, ²²⁹⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²²⁹⁸	\$750 ²²⁹⁹	No, ²³⁰⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁰¹	No	No	Yes, \$100 ²³⁰²	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³⁰³	Yes ²³⁰⁴ The offender shall be assessed a civil penalty of \$250 ²³⁰⁵	No

Notes:

- ❖ Special Sentence for 10 years²³⁰⁶:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

²²⁹² Iowa Code § [709.11](#)(2).

²²⁹³ Iowa Code § [902.9](#)(1)(e).

²²⁹⁴ Iowa Code § [902.9](#)(1)(e).

²²⁹⁵ Iowa Code § [229A.2](#)(1).

²²⁹⁶ Iowa Code § [229A.2](#)(11)(a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²²⁹⁷ *See* Iowa Code § [907.3](#), unnum. para.; *see also id.* § [702.11](#)(1) (indicating felonious “assault” is a forcible felony).

²²⁹⁸ Iowa Code § [902.9](#)(1)(e).

²²⁹⁹ Iowa Code § [902.9](#)(1)(e).

²³⁰⁰ *See* Iowa Code § [907.3](#), unnum. para.; *see also id.* § [702.11](#)(1) (indicating felonious “assault” is a forcible felony).

²³⁰¹ Iowa Code § [911.1](#)(1).

²³⁰² Iowa Code § [911.2B](#)(1).

²³⁰³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²³⁰⁴ Iowa Code § [692A.102](#)(1)(c) (15).

²³⁰⁵ Iowa Code § [692A.110](#).

²³⁰⁶ Iowa Code § [903B.2](#).

§ 709.11(3)—No injury results

Class = aggravated misdemeanor²³⁰⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²³⁰⁸	0 ²³⁰⁹	None, but violation of § 709.11 is a SPO ²³¹⁰ and a SVO, ²³¹¹ so see Enhancements	Yes, ²³¹² except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³¹³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²³¹⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ²³¹⁵	\$625 ²³¹⁶	Yes, ²³¹⁷ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³¹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³¹⁹	No	No	Yes, \$100 ²³²⁰	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³²¹	Yes ²³²² The offender shall be assessed a civil penalty of \$250 ²³²³	No

Notes:

❖ Special Sentence for 10 years²³²⁴.

- person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
- is in addition to any other punishment imposed
- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release

²³⁰⁷ Iowa Code § [709.11](#)(3).

²³⁰⁸ Iowa Code § [903.1](#)(2).

²³⁰⁹ Iowa Code § [903.1](#)(2).

²³¹⁰ Iowa Code § [229A.2](#)(1).

²³¹¹ Iowa Code § [229A.2](#)(11)(a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²³¹² *See* Iowa Code § [907.3](#).

²³¹³ Iowa Code § [907.3](#), unnum. para..

²³¹⁴ Iowa Code § [903.1](#)(2).

²³¹⁵ Iowa Code § [903.1](#)(2).

²³¹⁶ Iowa Code § [903.1](#)(2).

²³¹⁷ *See* Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³¹⁸ Iowa Code § [907.3](#), unnum. para..

²³¹⁹ Iowa Code § [911.1](#)(1).

²³²⁰ Iowa Code § [911.2B](#)(1).

²³²¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²³²² Iowa Code § [692A.102](#)(1)(b)(6).

²³²³ Iowa Code § [692A.110](#).

²³²⁴ Iowa Code § [903B.2](#).

- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.12—Indecent Contact with a Child

Class = aggravated misdemeanor²³²⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²³²⁶	0 ²³²⁷	None, but violation of § 709.12 is a SPO ²³²⁸ and a SVO, ²³²⁹ so see Enhancements	Yes, ²³³⁰ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³³¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²³³²

Fines

Max.	Min.	Can Suspend?
\$6250 ²³³³	\$625 ²³³⁴	Yes, ²³³⁵ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³³⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³³⁷	No	No	Yes, \$100 ²³³⁸	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³³⁹	Yes ²³⁴⁰ The offender shall be assessed a civil penalty of \$250 ²³⁴¹	No

Notes:

❖ Special Sentence for 10 years²³⁴²:

- person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
- is in addition to any other punishment imposed
- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release

²³²⁵ Iowa Code § [709.12](#)(1).

²³²⁶ Iowa Code § [903.1](#)(2).

²³²⁷ Iowa Code § [903.1](#)(2).

²³²⁸ Iowa Code § [229A.2](#)(1).

²³²⁹ Iowa Code § [229A.2](#)(11)(a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²³³⁰ *See* Iowa Code § [907.3](#).

²³³¹ Iowa Code § [907.3](#), unnum. para..

²³³² Iowa Code § [903.1](#)(2).

²³³³ Iowa Code § [903.1](#)(2).

²³³⁴ Iowa Code § [903.1](#)(2).

²³³⁵ *See* Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³³⁶ Iowa Code § [907.3](#), unnum. para..

²³³⁷ Iowa Code § [911.1](#)(1).

²³³⁸ Iowa Code § [911.2B](#)(1).

²³³⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²³⁴⁰ Iowa Code § [692A.102](#)(1)(b)(9), (c)(26).

²³⁴¹ Iowa Code § [692A.110](#).

²³⁴² Iowa Code § [903B.2](#).

- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.14—Lascivious Conduct with a Minor

§ 709.14(1) (involving disrobing)

Class = serious misdemeanor²³⁴³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²³⁴⁴	0 ²³⁴⁵	N/A, but violation of § 709.14 is a SPO ²³⁴⁶ and a SVO, ²³⁴⁷ so see Enhancements	Yes, ²³⁴⁸ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³⁴⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ²³⁵⁰	\$315 ²³⁵¹	No ²³⁵²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁵³	No	No	Yes, \$100 ²³⁵⁴	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³⁵⁵	Yes ²³⁵⁶ The offender shall be assessed a civil penalty of \$250 ²³⁵⁷	No

Notes:

²³⁴³ Iowa Code § 709.14(1)(b) (amended by 2019 Iowa Acts ch. 114, § 1, effective 7/1/2019).

²³⁴⁴ Iowa Code § 903.1(1)(b).

²³⁴⁵ Iowa Code § 903.1(1)(b).

²³⁴⁶ Iowa Code § 229A.2(1).

²³⁴⁷ Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³⁴⁸ See Iowa Code § 907.3.

²³⁴⁹ Iowa Code § 907.3, unnum. para..

²³⁵⁰ Iowa Code § 903.1(1)(b).

²³⁵¹ Iowa Code § 903.1(1)(b).

²³⁵² Iowa Code § 903.1(1).

²³⁵³ Iowa Code § 911.1(1).

²³⁵⁴ Iowa Code § 911.2B(1).

²³⁵⁵ Iowa Code §§ 81.2(6).

²³⁵⁶ Iowa Code § 692A.102(1)(b)(10).

²³⁵⁷ Iowa Code § 692A.110.

§ 709.14(3) (specified fondling, touching, or soliciting)

Class = serious misdemeanor²³⁵⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²³⁵⁹	0 ²³⁶⁰	N/A, but violation of § 709.14 is a SPO ²³⁶¹ and a SVO, ²³⁶² so see Enhancements	Yes, ²³⁶³ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³⁶⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ²³⁶⁵	\$315 ²³⁶⁶	No ²³⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁶⁸	No	No	Yes, \$100 ²³⁶⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³⁷⁰	Yes ²³⁷¹ The offender shall be assessed a civil penalty of \$250 ²³⁷²	No

Notes:

²³⁵⁸ Iowa Code § 709.14(3)(b) (amended by 2019 Iowa Acts ch. 114, § 1, effective 7/1/2019).

²³⁵⁹ Iowa Code § 903.1(1)(b).

²³⁶⁰ Iowa Code § 903.1(1)(b).

²³⁶¹ Iowa Code § 229A.2(1).

²³⁶² Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³⁶³ See Iowa Code § 907.3.

²³⁶⁴ Iowa Code § 907.3, unnum. para..

²³⁶⁵ Iowa Code § 903.1(1)(b).

²³⁶⁶ Iowa Code § 903.1(1)(b).

²³⁶⁷ Iowa Code § 903.1(1).

²³⁶⁸ Iowa Code § 911.1(1).

²³⁶⁹ Iowa Code § 911.2B(1).

²³⁷⁰ Iowa Code §§ 81.2(6).

²³⁷¹ Iowa Code § 692A.102(1)(b)(10).

²³⁷² Iowa Code § 692A.110.

§ 709.14(4) (specified fondling, touching, soliciting, or inflicting pain)

Class = aggravated misdemeanor²³⁷³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 year ²³⁷⁴	0 ²³⁷⁵	N/A, but violation of § 709.14 is a SPO ²³⁷⁶ and a SVO, ²³⁷⁷ so see Enhancements	Yes, ²³⁷⁸ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³⁷⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ²³⁸⁰	\$625 ²³⁸¹	Yes ²³⁸²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁸³	No	No	Yes, \$100 ²³⁸⁴	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²³⁸⁵	Yes ²³⁸⁶ The offender shall be assessed a civil penalty of \$250 ²³⁸⁷	No

Notes:

²³⁷³ [Iowa Code § 709.14\(4\)\(b\) \(amended by 2019 Iowa Acts ch. 114, § 1, effective 7/1/2019\).](#)

²³⁷⁴ [Iowa Code § 903.1\(2\).](#)

²³⁷⁵ [Iowa Code § 903.1\(2\).](#)

²³⁷⁶ Iowa Code § 229A.2(1).

²³⁷⁷ Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²³⁷⁸ *See* Iowa Code § 907.3.

²³⁷⁹ Iowa Code § 907.3, unnum. para..

²³⁸⁰ [Iowa Code § 903.1\(2\).](#)

²³⁸¹ [Iowa Code § 903.1\(2\).](#)

²³⁸² [Iowa Code § 903.1\(2\).](#)

²³⁸³ Iowa Code § 911.1(1).

²³⁸⁴ Iowa Code § 911.2B(1).

²³⁸⁵ Iowa Code §§ 81.2(6).

²³⁸⁶ Iowa Code § 692A.102(1)(b)(10).

²³⁸⁷ Iowa Code § 692A.110.

§ 709.15—Sexual Exploitation by a Counselor, Therapist, or School Employee

§ 709.15(2)(a)(1)—Counselor or Therapist: pattern, practice, or scheme of conduct to engage in sexual conduct

Class = “D” felony²³⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²³⁸⁹	0 ²³⁹⁰	No, but see Enhancements ❖ Note: violation of § 709.15 is a SPO ²³⁹¹ and a SVO ²³⁹²	Yes, ²³⁹³ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²³⁹⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ²³⁹⁵	\$750 ²³⁹⁶	Yes, ²³⁹⁷ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²³⁹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²³⁹⁹	No	No	Yes, \$100 ²⁴⁰⁰	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁰¹	Yes ²⁴⁰² The offender shall be assessed a civil penalty of \$250 ²⁴⁰³	No

Notes:

- ❖ Special Sentence for 10 years²⁴⁰⁴:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
 - is in addition to any other punishment imposed

²³⁸⁸ Iowa Code § [709.15](#)(4)(a).

²³⁸⁹ Iowa Code § [902.9](#)(1)(e).

²³⁹⁰ Iowa Code § [902.9](#)(1)(e).

²³⁹¹ Iowa Code § [229A.2](#)(1).

²³⁹² Iowa Code § [229A.2](#)(11)(a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²³⁹³ *See* Iowa Code § [907.3](#); *see also id.* § [702.11](#)(2)(d) (indicating sexual exploitation by counselor, therapist, or school employee is not a forcible felony).

²³⁹⁴ Iowa Code § [907.3](#), unnum. para..

²³⁹⁵ Iowa Code § [902.9](#)(1)(e).

²³⁹⁶ Iowa Code § [902.9](#)(1)(e).

²³⁹⁷ *See* Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²³⁹⁸ Iowa Code § [907.3](#), unnum. para..

²³⁹⁹ Iowa Code § [911.1](#)(1).

²⁴⁰⁰ Iowa Code § [911.2B](#)(1).

²⁴⁰¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁴⁰² Iowa Code § [692A.102](#)(1)(b)(11), (c)(27).

²⁴⁰³ Iowa Code § [692A.110](#).

²⁴⁰⁴ Iowa Code § [903B.2](#).

- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.15(2)(a)(2)—Counselor or Therapist: sexual conduct with emotionally dependent current or former patient or client

Class = aggravated misdemeanor²⁴⁰⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁴⁰⁶	0 ²⁴⁰⁷	None, but violation of § 709.15 is a SPO ²⁴⁰⁸ and a SVO, ²⁴⁰⁹ so see Enhancements	Yes, ²⁴¹⁰ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²⁴¹¹

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁴¹²

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁴¹³	\$625 ²⁴¹⁴	Yes, ²⁴¹⁵ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁴¹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴¹⁷	No	No	Yes, \$100 ²⁴¹⁸	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴¹⁹	Yes ²⁴²⁰ The offender shall be assessed a civil penalty of \$250 ²⁴²¹	No

Notes:

- ❖ Special Sentence for 10 years²⁴²²:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”

²⁴⁰⁵ Iowa Code § [709.15](#)(4)(b).

²⁴⁰⁶ Iowa Code § [903.1](#)(2).

²⁴⁰⁷ Iowa Code § [903.1](#)(2).

²⁴⁰⁸ Iowa Code § [229A.2](#)(1).

²⁴⁰⁹ Iowa Code § [229A.2](#)(11)(a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²⁴¹⁰ *See* Iowa Code § [907.3](#).

²⁴¹¹ Iowa Code § [907.3](#), unnum. para..

²⁴¹² Iowa Code § [903.1](#)(2).

²⁴¹³ Iowa Code § [903.1](#)(2).

²⁴¹⁴ Iowa Code § [903.1](#)(2).

²⁴¹⁵ *See* Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁴¹⁶ Iowa Code § [907.3](#), unnum. para..

²⁴¹⁷ Iowa Code § [911.1](#)(1).

²⁴¹⁸ Iowa Code § [911.2B](#)(1).

²⁴¹⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁴²⁰ Iowa Code § [692A.102](#)(1)(b)(11), (c)(27).

²⁴²¹ Iowa Code § [692A.110](#).

²⁴²² Iowa Code § [903B.2](#).

- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.15(2)(a)(3)—Counselor or Therapist: sexual conduct with current patient or client, or former patient or client within 1 year of termination of mental health services

Class = serious misdemeanor²⁴²³

❖ Alternative sentencing:

- May require offender to attend sexual abuser treatment program in lieu of the sentence provided in § 903.1(1)(b)²⁴²⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁴²⁵	0 ²⁴²⁶	N/A, but violation of § 709.15 is a SPO ²⁴²⁷ and a SVO, ²⁴²⁸ so see Enhancements	Yes, ²⁴²⁹ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²⁴³⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁴³¹	\$315 ²⁴³²	No ²⁴³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴³⁴	No	No	Yes, \$100 ²⁴³⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴³⁶	Yes ²⁴³⁷ The offender shall be assessed a civil penalty of \$250 ²⁴³⁸	No

Notes:

²⁴²³ Iowa Code § 709.15(4)(c).

²⁴²⁴ Iowa Code § 709.15(4)(c).

²⁴²⁵ Iowa Code § 903.1(1)(b).

²⁴²⁶ Iowa Code § 903.1(1)(b).

²⁴²⁷ Iowa Code § 229A.2(1).

²⁴²⁸ Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁴²⁹ See Iowa Code § 907.3.

²⁴³⁰ Iowa Code § 907.3, unnum. para..

²⁴³¹ Iowa Code § 903.1(1)(b).

²⁴³² Iowa Code § 903.1(1)(b).

²⁴³³ Iowa Code § 903.1(1).

²⁴³⁴ Iowa Code § 911.1(1).

²⁴³⁵ Iowa Code § 911.2B(1).

²⁴³⁶ Iowa Code § 81.2(6).

²⁴³⁷ Iowa Code § 692A.102(1)(b)(11), (c)(27).

²⁴³⁸ Iowa Code § 692A.110.

§ 709.15(3)(a)(1)—School Employee: pattern, practice, or scheme of conduct to engage in sexual conduct with student

Class = “D” felony²⁴³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁴⁴⁰	0 ²⁴⁴¹	No, but see Enhancements ❖ Note: violation of § 709.15 is a SPO ²⁴⁴² and a SVO ²⁴⁴³	Yes, ²⁴⁴⁴ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²⁴⁴⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁴⁴⁶	\$750 ²⁴⁴⁷	Yes, ²⁴⁴⁸ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁴⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴⁵⁰	No	No	Yes, \$100 ²⁴⁵¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁵²	Yes ²⁴⁵³ The offender shall be assessed a civil penalty of \$250 ²⁴⁵⁴	No

Notes:

- ❖ Special Sentence for 10 years²⁴⁵⁵:
 - person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”

²⁴³⁹ Iowa Code § 709.15(5)(a).

²⁴⁴⁰ Iowa Code § 902.9(1)(e).

²⁴⁴¹ Iowa Code § 902.9(1)(e).

²⁴⁴² Iowa Code § 229A.2(1).

²⁴⁴³ Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁴⁴⁴ *See* Iowa Code § 907.3; *see also id.* § 702.11(2)(d) (indicating sexual exploitation by counselor, therapist, or school employee is not a forcible felony).

²⁴⁴⁵ Iowa Code § 907.3, unnum. para..

²⁴⁴⁶ Iowa Code § 902.9(1)(e).

²⁴⁴⁷ Iowa Code § 902.9(1)(e).

²⁴⁴⁸ *See* Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁴⁴⁹ Iowa Code § 907.3, unnum. para..

²⁴⁵⁰ Iowa Code § 911.1(1).

²⁴⁵¹ Iowa Code § 911.2B(1).

²⁴⁵² Iowa Code §§ 81.2(1), 901.5(8A)(a).

²⁴⁵³ Iowa Code § 692A.102(1)(b)(11), (c)(27).

²⁴⁵⁴ Iowa Code § 692A.110.

²⁴⁵⁵ Iowa Code § 903B.2.

- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.15(3)(a)(2)—School Employee: sexual conduct with student

Class = aggravated misdemeanor²⁴⁵⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁴⁵⁷	0 ²⁴⁵⁸	None, but violation of § 709.15 is a SPO ²⁴⁵⁹ and a SVO, ²⁴⁶⁰ so see Enhancements	Yes, ²⁴⁶¹ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²⁴⁶²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁴⁶³

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁴⁶⁴	\$625 ²⁴⁶⁵	Yes, ²⁴⁶⁶ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁴⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴⁶⁸	No	No	Yes, \$100 ²⁴⁶⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁷⁰	Yes ²⁴⁷¹ The offender shall be assessed a civil penalty of \$250 ²⁴⁷²	No

Notes:

- ❖ Special Sentence for 10 years²⁴⁷³.
- person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release

²⁴⁵⁶ Iowa Code § 709.15(5)(b).

²⁴⁵⁷ Iowa Code § 903.1(2).

²⁴⁵⁸ Iowa Code § 903.1(2).

²⁴⁵⁹ Iowa Code § 229A.2(1).

²⁴⁶⁰ Iowa Code § 229A.2(11)(a); see id. § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁴⁶¹ See Iowa Code § 907.3.

²⁴⁶² Iowa Code § 907.3, unnum. para..

²⁴⁶³ Iowa Code § 903.1(2).

²⁴⁶⁴ Iowa Code § 903.1(2).

²⁴⁶⁵ Iowa Code § 903.1(2).

²⁴⁶⁶ See Iowa Code § 903.1(2); State v. Ayers, 590 N.W.2d 25, 31 (Iowa 1999).

²⁴⁶⁷ Iowa Code § 907.3, unnum. para..

²⁴⁶⁸ Iowa Code § 911.1(1).

²⁴⁶⁹ Iowa Code § 911.2B(1).

²⁴⁷⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a).

²⁴⁷¹ Iowa Code § 692A.102(1)(b)(11), (c)(27).

²⁴⁷² Iowa Code § 692A.110.

²⁴⁷³ Iowa Code § 903B.2.

- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.16—Sexual Misconduct with Offenders and Juveniles

§ 709.16(1)—Engaging in sex act with person committed to custody of the department of corrections or judicial district department of corrections services

Class = aggravated misdemeanor²⁴⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁴⁷⁵	0 ²⁴⁷⁶	None, but violation of § 709.16 is a SPO ²⁴⁷⁷ and a SVO, ²⁴⁷⁸ so see Enhancements	Yes, ²⁴⁷⁹ except not eligible if offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²⁴⁸⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁴⁸¹

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁴⁸²	\$625 ²⁴⁸³	Yes, ²⁴⁸⁴ offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁴⁸⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁴⁸⁶	No	No	Yes, \$100 ²⁴⁸⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁴⁸⁸	Yes ²⁴⁸⁹ The offender shall be assessed a civil penalty of \$250 ²⁴⁹⁰	No

Notes:

❖ Special Sentence for 10 years²⁴⁹¹:

- person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. 906
- is in addition to any other punishment imposed
- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”

²⁴⁷⁴ Iowa Code § 709.16(1).

²⁴⁷⁵ Iowa Code § 903.1(2).

²⁴⁷⁶ Iowa Code § 903.1(2).

²⁴⁷⁷ Iowa Code § 229A.2(1).

²⁴⁷⁸ Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁴⁷⁹ *See* Iowa Code § 907.3.

²⁴⁸⁰ Iowa Code § 907.3, unnum. para..

²⁴⁸¹ Iowa Code § 903.1(2).

²⁴⁸² Iowa Code § 903.1(2).

²⁴⁸³ Iowa Code § 903.1(2).

²⁴⁸⁴ *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁴⁸⁵ Iowa Code § 907.3, unnum. para..

²⁴⁸⁶ Iowa Code § 911.1(1).

²⁴⁸⁷ Iowa Code § 911.2B(1).

²⁴⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a).

²⁴⁸⁹ Iowa Code § 692A.102(1)(b)(12), (c)(28).

²⁴⁹⁰ Iowa Code § 692A.110.

²⁴⁹¹ Iowa Code § 903B.2.

- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.16(2)—Engaging in sex act with juvenile placed at juvenile placement facility

Class = aggravated misdemeanor²⁴⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁴⁹³	0 ²⁴⁹⁴	None, but violation of § 709.16 is a SPO ²⁴⁹⁵ and a SVO, ²⁴⁹⁶ so see Enhancements	Yes, ²⁴⁹⁷ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²⁴⁹⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁴⁹⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁵⁰⁰	\$625 ²⁵⁰¹	Yes, ²⁵⁰² unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁵⁰³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁰⁴	No	No	Yes, \$100 ²⁵⁰⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁰⁶	Yes ²⁵⁰⁷ The offender shall be assessed a civil penalty of \$250 ²⁵⁰⁸	No

Notes:

❖ Special Sentence for 10 years²⁵⁰⁹:

- person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. 906
- is in addition to any other punishment imposed
- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release

²⁴⁹² Iowa Code § 709.16(2)(a).

²⁴⁹³ Iowa Code § 903.1(2).

²⁴⁹⁴ Iowa Code § 903.1(2).

²⁴⁹⁵ Iowa Code § 229A.2(1).

²⁴⁹⁶ Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁴⁹⁷ *See* Iowa Code § 907.3.

²⁴⁹⁸ Iowa Code § 907.3, unnum. para..

²⁴⁹⁹ Iowa Code § 903.1(2).

²⁵⁰⁰ Iowa Code § 903.1(2).

²⁵⁰¹ Iowa Code § 903.1(2).

²⁵⁰² *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵⁰³ Iowa Code § 907.3, unnum. para..

²⁵⁰⁴ Iowa Code § 911.1(1).

²⁵⁰⁵ Iowa Code § 911.2B(1).

²⁵⁰⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a).

²⁵⁰⁷ Iowa Code § 692A.102(1)(b)(12), (c)(28).

²⁵⁰⁸ Iowa Code § 692A.110.

²⁵⁰⁹ Iowa Code § 903B.2.

- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.16(3)—Engaging in sex act with prisoner incarcerated in county jail

Class = aggravated misdemeanor²⁵¹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁵¹¹	0 ²⁵¹²	None, but violation of § 709.16 is a SPO ²⁵¹³ and a SVO, ²⁵¹⁴ so see Enhancements	Yes, ²⁵¹⁵ unless offender is a mandatory reporter of child abuse under § 232.69 and victim was under age 18 ²⁵¹⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁵¹⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁵¹⁸	\$625 ²⁵¹⁹	Yes, ²⁵²⁰ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁵²¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵²²	No	No	Yes, \$100 ²⁵²³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵²⁴	Yes ²⁵²⁵ The offender shall be assessed a civil penalty of \$250 ²⁵²⁶	No

Notes:

❖ Special Sentence for 10 years²⁵²⁷:

- person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. 906
- is in addition to any other punishment imposed
- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release

²⁵¹⁰ Iowa Code § 709.16(3).

²⁵¹¹ Iowa Code § 903.1(2).

²⁵¹² Iowa Code § 903.1(2).

²⁵¹³ Iowa Code § 229A.2(1).

²⁵¹⁴ Iowa Code § 229A.2(11)(a); *see id.* § 229A.2(3) (indicating definition of sexually violent offense is the same as in § 229A.2(11)).

²⁵¹⁵ *See* Iowa Code § 907.3.

²⁵¹⁶ Iowa Code § 907.3, unnum. para..

²⁵¹⁷ Iowa Code § 903.1(2).

²⁵¹⁸ Iowa Code § 903.1(2).

²⁵¹⁹ Iowa Code § 903.1(2).

²⁵²⁰ *See* Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵²¹ Iowa Code § 907.3, unnum. para..

²⁵²² Iowa Code § 911.1(1).

²⁵²³ Iowa Code § 911.2B(1).

²⁵²⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a).

²⁵²⁵ Iowa Code § 692A.102(1)(b)(12), (c)(28).

²⁵²⁶ Iowa Code § 692A.110.

²⁵²⁷ Iowa Code § 903B.2.

- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 709.18—Sexual Abuse of a Corpse

Class = “D” felony²⁵²⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁵²⁹	0 ²⁵³⁰	No, but see Enhancements ❖ Note: violation of § 709.18 is a SPO ²⁵³¹ and a SVO ²⁵³²	No, ²⁵³³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁵³⁴	\$750 ²⁵³⁵	No, ²⁵³⁶ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵³⁷	No	No	Yes, \$100 ²⁵³⁸	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵³⁹	Yes ²⁵⁴⁰ The offender shall be assessed a civil penalty of \$250 ²⁵⁴¹	No

Notes:

❖ Special Sentence for 10 years²⁵⁴²:

- person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
- is in addition to any other punishment imposed
- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

²⁵²⁸ Iowa Code § [709.18](#)(2).

²⁵²⁹ Iowa Code § [902.9](#)(1)(e).

²⁵³⁰ Iowa Code § [902.9](#)(1)(e).

²⁵³¹ Iowa Code § [229A.2](#)(1).

²⁵³² Iowa Code § [229A.2](#)(11)(a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²⁵³³ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “sexual abuse” as a forcible felony).

²⁵³⁴ Iowa Code § [902.9](#)(1)(e).

²⁵³⁵ Iowa Code § [902.9](#)(1)(e).

²⁵³⁶ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “sexual abuse” as a forcible felony).

²⁵³⁷ Iowa Code § [911.1](#)(1).

²⁵³⁸ Iowa Code § [911.2B](#)(1).

²⁵³⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁵⁴⁰ Iowa Code § [692A.102](#)(1)(b)(13).

²⁵⁴¹ Iowa Code § [692A.110](#).

²⁵⁴² Iowa Code § [903B.2](#).

§ 709.21—Invasion of Privacy

Class = aggravated misdemeanor²⁵⁴³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁵⁴⁴	0 ²⁵⁴⁵	None, but violation of § 709.21 is a SPO ²⁵⁴⁶ and a SVO, ²⁵⁴⁷ so see Enhancements	Yes, ²⁵⁴⁸ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁵⁴⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁵⁵⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁵⁵¹	\$625 ²⁵⁵²	Yes, ²⁵⁵³ unless offender is a mandatory reporter of child abused under § 232.69 and victim was under age 18 ²⁵⁵⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁵⁵	No	No	Yes, \$100 ²⁵⁵⁶	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁵⁷	Yes ²⁵⁵⁸ The offender shall be assessed a civil penalty of \$250 ²⁵⁵⁹	No

Notes:

❖ Special Sentence for 10 years²⁵⁶⁰:

- person committed to custody of the director of the Iowa Dep’t of Corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
- is in addition to any other punishment imposed
- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release

²⁵⁴³ Iowa Code § [709.21](#)(3).

²⁵⁴⁴ Iowa Code § [903.1](#)(2).

²⁵⁴⁵ Iowa Code § [903.1](#)(2).

²⁵⁴⁶ Iowa Code § [229A.2](#)(1).

²⁵⁴⁷ Iowa Code § [229A.2](#)(11)(a); *see id.* § [229A.2](#)(3) (indicating definition of sexually violent offense is the same as in § [229A.2](#)(11)).

²⁵⁴⁸ *See* Iowa Code § [907.3](#).

²⁵⁴⁹ Iowa Code § [907.3](#), unnum. para..

²⁵⁵⁰ Iowa Code § [903.1](#)(2).

²⁵⁵¹ Iowa Code § [903.1](#)(2).

²⁵⁵² Iowa Code § [903.1](#)(2).

²⁵⁵³ *See* Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵⁵⁴ Iowa Code § [907.3](#), unnum. para..

²⁵⁵⁵ Iowa Code § [911.1](#)(1).

²⁵⁵⁶ Iowa Code § [911.2B](#)(1).

²⁵⁵⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁵⁵⁸ Iowa Code § [692A.102](#)(1)(b)(7).

²⁵⁵⁹ Iowa Code § [692A.110](#).

²⁵⁶⁰ Iowa Code § [903B.2](#).

- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

CH. [709A](#) CONTRIBUTING TO JUVENILE DELINQUENCY

§ [709A.6\(2\)](#)—Using a Juvenile to Commit Certain Offenses

Class = “C” felony²⁵⁶¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁵⁶²	0 ²⁵⁶³	No, but see Enhancements	Yes, ²⁵⁶⁴ see also Notes

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁵⁶⁵	\$1000 ²⁵⁶⁶	Yes ²⁵⁶⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁶⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁶⁹	No	No

Notes:

- ❖ DJ, DS, or SS Eligible?
 - Iowa Code § [709A.3](#) says the sentence may be suspended for “a period not exceeding two years,” however, it is unclear if § [709A.3](#) refers to a violation of § [709A.6](#) as § [709A.3](#) begins “Upon said conviction being had,” which arguably refers to violation of § [709A.1](#) (punished via § [709A.2](#)), not a violation of § [709A.6](#).

²⁵⁶¹ Iowa Code § [709A.6\(2\)](#).

²⁵⁶² Iowa Code § [902.9\(1\)\(d\)](#).

²⁵⁶³ Iowa Code § [902.9\(1\)\(d\)](#).

²⁵⁶⁴ See Iowa Code § [907.3](#).

²⁵⁶⁵ Iowa Code § [902.9\(1\)\(d\)](#).

²⁵⁶⁶ Iowa Code § [902.9\(1\)\(d\)](#).

²⁵⁶⁷ See Iowa Code § [902.9\(1\)\(d\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵⁶⁸ Iowa Code § [911.1\(1\)](#).

²⁵⁶⁹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

CH. 709D TRANSMISSION OF CONTAGIOUS DISEASE

§ 709D.3(1)—Successful Intentional Transmission

Class = “B” felony²⁵⁷⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁵⁷¹	0 ²⁵⁷²	No, but see Enhancements	Yes ²⁵⁷³

Fines

Max.	Min.	Can Suspend?
0 ²⁵⁷⁴	0 ²⁵⁷⁵	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁷⁶	No	No

Notes:

²⁵⁷⁰ Iowa Code § [709D.3\(1\)](#).

²⁵⁷¹ Iowa Code § [902.9\(1\)\(b\)](#).

²⁵⁷² Iowa Code § [902.9\(1\)\(b\)](#).

²⁵⁷³ See Iowa Code § [907.3](#).

²⁵⁷⁴ See Iowa Code § [902.9\(1\)\(b\)](#).

²⁵⁷⁵ See Iowa Code § [902.9\(1\)\(b\)](#).

²⁵⁷⁶ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 709D.3(2)—Unsuccessful Attempted Intentional Transmission

Class = “D” felony²⁵⁷⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁵⁷⁸	0 ²⁵⁷⁹	No, but see Enhancements	Yes ²⁵⁸⁰

Fines

Max.	Min.	Can Suspend?
\$7,500 ²⁵⁸¹	\$750 ²⁵⁸²	Yes ²⁵⁸³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁸⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁸⁵	No	No

Notes:

²⁵⁷⁷ Iowa Code § [709D.3](#)(2).

²⁵⁷⁸ Iowa Code § [902.9](#)(1)(e).

²⁵⁷⁹ Iowa Code § [902.9](#)(1)(e).

²⁵⁸⁰ See Iowa Code § [907.3](#).

²⁵⁸¹ Iowa Code § [902.9](#)(1)(e).

²⁵⁸² Iowa Code § [902.9](#)(1)(e).

²⁵⁸³ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵⁸⁴ Iowa Code § [911.1](#)(1).

²⁵⁸⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 709D.3(3)—Reckless Exposure Resulting in Transmission

Class = “D” felony²⁵⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁵⁸⁷	0 ²⁵⁸⁸	No, but see Enhancements	Yes ²⁵⁸⁹

Fines

Max.	Min.	Can Suspend?
\$7,500 ²⁵⁹⁰	\$750 ²⁵⁹¹	Yes ²⁵⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁵⁹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁵⁹⁴	No	No

Notes:

²⁵⁸⁶ Iowa Code § [709D.3](#)(3).

²⁵⁸⁷ Iowa Code § [902.9](#)(1)(e).

²⁵⁸⁸ Iowa Code § [902.9](#)(1)(e).

²⁵⁸⁹ See Iowa Code § [907.3](#).

²⁵⁹⁰ Iowa Code § [902.9](#)(1)(e).

²⁵⁹¹ Iowa Code § [902.9](#)(1)(e).

²⁵⁹² See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁵⁹³ Iowa Code § [911.1](#)(1).

²⁵⁹⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 709D.3(4)—Reckless Exposure Not Resulting in Transmission

Class = serious misdemeanor²⁵⁹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁵⁹⁶	0 ²⁵⁹⁷	N/A	Yes ²⁵⁹⁸

Fines

Max.	Min.	Can Suspend?
\$675 ²⁵⁹⁹	\$65 ²⁶⁰⁰	No ²⁶⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁰²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

²⁵⁹⁵ Iowa Code § [709D.3\(4\)](#).

²⁵⁹⁶ Iowa Code § [903.1\(1\)\(b\)](#).

²⁵⁹⁷ Iowa Code § [903.1\(1\)\(b\)](#).

²⁵⁹⁸ See Iowa Code § [907.3](#).

²⁵⁹⁹ Iowa Code § [903.1\(1\)\(b\)](#).

²⁶⁰⁰ Iowa Code § [903.1\(1\)\(b\)](#).

²⁶⁰¹ Iowa Code § [903.1\(1\)](#).

²⁶⁰² Iowa Code § [911.1\(1\)](#).

CH. 710 KIDNAPPING AND RELATED OFFENSES

§ 710.2—First-Degree Kidnapping

Class = “A” felony²⁶⁰³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
Life, but see Under 18 Sentencing ²⁶⁰⁴	Life, ²⁶⁰⁵ but see Under 18 Sentencing	Not eligible ²⁶⁰⁶ But see Under 18 Sentencing ❖ Note: kidnapping as defined in § 710.1 can be a SVO, ²⁶⁰⁷ so see Enhancements	No, ²⁶⁰⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁶⁰⁹	0 ²⁶¹⁰	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶¹¹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- “For purposes of determining whether the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section [692A.126](#).²⁶¹²
- Must register if:
 - kidnapping was of a person who was not a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁶¹³
 - if kidnapping involved sexual abuse as defined in § 709.1 was committed during offense²⁶¹⁴
 - kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁶¹⁵
 - If yes, the offender shall be assessed a civil penalty of \$250²⁶¹⁶

²⁶⁰³ Iowa Code § [710.2](#), unnum. para. 2.

²⁶⁰⁴ Iowa Code § [902.1](#)(1).

²⁶⁰⁵ Iowa Code § [902.1](#)(1).

²⁶⁰⁶ Iowa Code § [902.1](#)(1).

²⁶⁰⁷ Iowa Code § [229A.2](#)(11)(b)(2); *see id.* § [229A.2](#)(3) (noting the definition of sexually violent offense is the same as in § [229A.2](#)).

²⁶⁰⁸ See Iowa Code § [902.1](#)(1).

²⁶⁰⁹ Iowa Code § [902.1](#)(1).

²⁶¹⁰ Iowa Code § [902.1](#)(1).

²⁶¹¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁶¹² Iowa Code § [710.2](#).

²⁶¹³ Iowa Code § [692A.102](#)(1)(b)(14).

²⁶¹⁴ Iowa Code § [692A.102](#)(1)(c)(13).

²⁶¹⁵ Iowa Code § [692A.102](#)(1)(c)(14).

²⁶¹⁶ Iowa Code § [692A.110](#).

§ 710.3—Second-Degree Kidnapping

Class = “B” felony²⁶¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁶¹⁸	0 ²⁶¹⁹	Not eligible until has served 70% of max. term of sentence ²⁶²⁰ See also Enhancements ❖ Note: kidnapping as defined in § 710.1 can be a SVO ²⁶²¹	No, ²⁶²² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁶²³	0 ²⁶²⁴	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶²⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- “For purposes of determining whether the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section [692A.126](#).²⁶²⁶
- Must register if:
 - kidnapping was of a person who was not a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁶²⁷
 - kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁶²⁸
 - If yes, the offender shall be assessed a civil penalty of \$250²⁶²⁹

²⁶¹⁷ Iowa Code § [710.3](#), unnum. para. 1.

²⁶¹⁸ Iowa Code § [902.9\(1\)\(b\)](#).

²⁶¹⁹ Iowa Code § [902.9\(1\)\(b\)](#).

²⁶²⁰ Iowa Code § [902.12\(1\)\(d\)](#).

²⁶²¹ Iowa Code § [229A.2\(11\)\(b\)\(2\)](#); *see id.* § [229A.2\(3\)](#) (noting the definition of sexually violent offense is the same as in § [229A.2](#)).

²⁶²² Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11\(1\)](#) (including felonious “kidnapping” as a forcible felony).

²⁶²³ *See* Iowa Code § [902.9\(1\)\(b\)](#).

²⁶²⁴ *See* Iowa Code § [902.9\(1\)\(b\)](#).

²⁶²⁵ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

²⁶²⁶ Iowa Code § [710.3\(2\)](#) (renumbering per Iowa Acts ch. 1116, § 1, effective 7/1/2018).

²⁶²⁷ Iowa Code § [692A.102\(1\)\(b\)\(14\)](#).

²⁶²⁸ Iowa Code § [692A.102\(1\)\(c\)\(14\)](#).

²⁶²⁹ Iowa Code § [692A.110](#).

§ 710.4—Third-Degree Kidnapping

Class = “C” felony²⁶³⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁶³¹	0 ²⁶³²	No, but see Enhancements ❖ Note: kidnapping as defined in § 710.1 can be a SVO ²⁶³³	No, ²⁶³⁴ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁶³⁵	\$1000 ²⁶³⁶	No, ²⁶³⁷ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶³⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶³⁹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- “For purposes of determining whether the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section [692A.126](#).²⁶⁴⁰”
- Must register if:
 - kidnapping was of a person who was not a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁶⁴¹
 - kidnapping was of a minor *and* fact-finder determined beyond a reasonable doubt that offense was sexually motivated²⁶⁴²
 - If yes, the offender shall be assessed a civil penalty of \$250²⁶⁴³

²⁶³⁰ Iowa Code § [710.4](#), unnum. para. 1.

²⁶³¹ Iowa Code § [902.9](#)(1)(d).

²⁶³² Iowa Code § [902.9](#)(1)(d).

²⁶³³ Iowa Code § [229A.2](#)(11)(b)(2); *see id.* § [229A.2](#)(3) (noting the definition of sexually violent offense is the same as in § [229A.2](#)).

²⁶³⁴ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “kidnapping” as a forcible felony).

²⁶³⁵ Iowa Code § [902.9](#)(1)(d).

²⁶³⁶ Iowa Code § [902.9](#)(1)(d).

²⁶³⁷ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “kidnapping” as a forcible felony).

²⁶³⁸ Iowa Code § [911.1](#)(1).

²⁶³⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁶⁴⁰ Iowa Code § [710.4](#), unnum. para. 2.

²⁶⁴¹ Iowa Code § [692A.102](#)(1)(b)(14).

²⁶⁴² Iowa Code § [692A.102](#)(1)(c)(14).

²⁶⁴³ Iowa Code § [692A.110](#).

§ 710.5—Child Stealing

Class = “C” felony²⁶⁴⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁶⁴⁵	0 ²⁶⁴⁶	No, but see Enhancements	Yes ²⁶⁴⁷

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁶⁴⁸	\$1000 ²⁶⁴⁹	Yes ²⁶⁵⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁵¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁵²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- “For purposes of determining whether the person should register as a sex offender pursuant to the provisions of chapter 692A, the fact finder shall make a determination as provided in section [692A.126](#).²⁶⁵³
- Must register if:
 - fact finder determines offense was sexually motivated pursuant to § [692A.126](#)²⁶⁵⁴
 - If yes, the offender shall be assessed a civil penalty of \$250²⁶⁵⁵

²⁶⁴⁴ Iowa Code § [710.5](#)(2).

²⁶⁴⁵ Iowa Code § [902.9](#)(1)(d).

²⁶⁴⁶ Iowa Code § [902.9](#)(1)(d).

²⁶⁴⁷ See Iowa Code § [907.3](#).

²⁶⁴⁸ Iowa Code § [902.9](#)(1)(d).

²⁶⁴⁹ Iowa Code § [902.9](#)(1)(d).

²⁶⁵⁰ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁶⁵¹ Iowa Code § [911.1](#)(1).

²⁶⁵² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁶⁵³ Iowa Code § [710.5](#)(3).

²⁶⁵⁴ Iowa Code § [692A.102](#)(1)(c)(29).

²⁶⁵⁵ Iowa Code § [692A.110](#).

§ 710.6—Violating Custodial Order

§ 710.6, unnum. para. 1—Violation as a relative of the child

Class = “D” felony²⁶⁵⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁶⁵⁷	0 ²⁶⁵⁸	No, but see Enhancements	Yes ²⁶⁵⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁶⁶⁰	\$750 ²⁶⁶¹	Yes ²⁶⁶²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁶³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁶⁴	No	No

Notes:

²⁶⁵⁶ Iowa Code § [710.6](#), unnum. para. 1.

²⁶⁵⁷ Iowa Code § [902.9](#)(1)(e).

²⁶⁵⁸ Iowa Code § [902.9](#)(1)(e).

²⁶⁵⁹ See Iowa Code § [907.3](#).

²⁶⁶⁰ Iowa Code § [902.9](#)(1)(e).

²⁶⁶¹ Iowa Code § [902.9](#)(1)(e).

²⁶⁶² See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁶⁶³ Iowa Code § [911.1](#)(1).

²⁶⁶⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 710.6, unnum. para. 2—Violation as a parent of the child

Class = serious misdemeanor²⁶⁶⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁶⁶⁶	0 ²⁶⁶⁷	N/A	Yes ²⁶⁶⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁶⁶⁹	\$315 ²⁶⁷⁰	No ²⁶⁷¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁷²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

²⁶⁶⁵ Iowa Code § 710.6, unnum. para. 2.

²⁶⁶⁶ Iowa Code § 903.1(1)(b).

²⁶⁶⁷ Iowa Code § 903.1(1)(b).

²⁶⁶⁸ See Iowa Code § 907.3.

²⁶⁶⁹ Iowa Code § 903.1(1)(b).

²⁶⁷⁰ Iowa Code § 903.1(1)(b).

²⁶⁷¹ Iowa Code § 903.1(1).

²⁶⁷² Iowa Code § 911.1(1).

§ 710.7—False Imprisonment

Class = serious misdemeanor²⁶⁷³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ²⁶⁷⁴	0 ²⁶⁷⁵	N/A	Yes ²⁶⁷⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ²⁶⁷⁷	\$315 ²⁶⁷⁸	No ²⁶⁷⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁸⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes, if required to register for Sex Registry ²⁶⁸¹	Yes, ²⁶⁸² except if committed by a parent ²⁶⁸³ If yes, the offender shall be assessed a civil penalty of \$250 ²⁶⁸⁴	No

Notes:

²⁶⁷³ Iowa Code § [710.7](#).

²⁶⁷⁴ Iowa Code § [903.1](#)(1)(b).

²⁶⁷⁵ Iowa Code § [903.1](#)(1)(b).

²⁶⁷⁶ See Iowa Code § [907.3](#).

²⁶⁷⁷ Iowa Code § [903.1](#)(1)(b).

²⁶⁷⁸ Iowa Code § [903.1](#)(1)(b).

²⁶⁷⁹ Iowa Code § [903.1](#)(1).

²⁶⁸⁰ Iowa Code § [911.1](#)(1).

²⁶⁸¹ Iowa Code § [81.2](#)(6).

²⁶⁸² Iowa Code § [692A.102](#)(1)(b)(5).

²⁶⁸³ Iowa Code § [692A.102](#)(1)(b)(5).

²⁶⁸⁴ Iowa Code § [692A.110](#).

§ 710.8—Harboring a Runaway Child

Class = aggravated misdemeanor²⁶⁸⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years ²⁶⁸⁶	0 ²⁶⁸⁷	None	Yes ²⁶⁸⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁶⁸⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁶⁹⁰	\$625 ²⁶⁹¹	Yes ²⁶⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁶⁹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁶⁹⁴	No	No

Notes:

²⁶⁸⁵ Iowa Code § [710.8](#)(4).

²⁶⁸⁶ Iowa Code § [903.1](#)(2).

²⁶⁸⁷ Iowa Code § [903.1](#)(2).

²⁶⁸⁸ See Iowa Code § [907.3](#).

²⁶⁸⁹ Iowa Code § [903.1](#)(2).

²⁶⁹⁰ Iowa Code § [903.1](#)(2).

²⁶⁹¹ Iowa Code § [903.1](#)(2).

²⁶⁹² See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁶⁹³ Iowa Code § [911.1](#)(1).

²⁶⁹⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 710.10—Enticing a Minor

§ 710.10(1)—With intent to commit sexual abuse or exploitation; minor under age 13

Class = “C” felony²⁶⁹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
10 years ²⁶⁹⁶	0 ²⁶⁹⁷	No, but see Enhancements ❖ Note: Violation of § 710.10 (1) is a SPO ²⁶⁹⁸	Yes ²⁶⁹⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁷⁰⁰	\$1000 ²⁷⁰¹	Yes ²⁷⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁰³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁰⁴	Maybe, ²⁷⁰⁵ see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - “violation includes an intent to commit sexual abuse, sexual exploitation, sexual contact, or sexual conduct towards a minor”²⁷⁰⁶
 - If yes, the offender shall be assessed a civil penalty of \$250²⁷⁰⁷

²⁶⁹⁵ Iowa Code § 710.10(1).

²⁶⁹⁶ Iowa Code § 902.9(1)(d).

²⁶⁹⁷ Iowa Code § 902.9(1)(d).

²⁶⁹⁸ Iowa Code § 229A.2(1)(c).

²⁶⁹⁹ See Iowa Code § 907.3.

²⁷⁰⁰ Iowa Code § 902.9(1)(d).

²⁷⁰¹ Iowa Code § 902.9(1)(d).

²⁷⁰² See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁷⁰³ Iowa Code § 911.1(1).

²⁷⁰⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a).

²⁷⁰⁵ Iowa Code § 692A.102(1)(c)(30).

²⁷⁰⁶ Iowa Code § 692A.102(1)(c)(30).

²⁷⁰⁷ Iowa Code § 692A.110.

§ 710.10(2)—With intent to commit illegal sex act or sexual exploitation; minor under age 16

Class = “D” felony²⁷⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁷⁰⁹	0 ²⁷¹⁰	No, but see Enhancements	Yes ²⁷¹¹

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁷¹²	\$750 ²⁷¹³	Yes ²⁷¹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷¹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷¹⁶	Maybe, ²⁷¹⁷ see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - “violation includes an intent to commit sexual abuse, sexual exploitation, sexual contact, or sexual conduct towards a minor”²⁷¹⁸
 - If yes, the offender shall be assessed a civil penalty of \$250²⁷¹⁹

²⁷⁰⁸ Iowa Code § [710.10](#)(2).

²⁷⁰⁹ Iowa Code § [902.9](#)(1)(e).

²⁷¹⁰ Iowa Code § [902.9](#)(1)(e).

²⁷¹¹ See Iowa Code § [907.3](#).

²⁷¹² Iowa Code § [902.9](#)(1)(e).

²⁷¹³ Iowa Code § [902.9](#)(1)(e).

²⁷¹⁴ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁷¹⁵ Iowa Code § [911.1](#)(1).

²⁷¹⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁷¹⁷ Iowa Code § [692A.102](#)(1)(c)(30).

²⁷¹⁸ Iowa Code § [692A.102](#)(1)(c)(30).

²⁷¹⁹ Iowa Code § [692A.110](#).

§ 710.10(3)—With intent to commit illegal act; minor under age 16

Class = “D” felony²⁷²⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁷²¹	0 ²⁷²²	No, but see Enhancements	Yes ²⁷²³

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁷²⁴	\$750 ²⁷²⁵	Yes ²⁷²⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷²⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷²⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - “violation includes an intent to commit sexual abuse, sexual exploitation, sexual contact, or sexual conduct towards a minor”²⁷²⁹
 - If yes, the offender shall be assessed a civil penalty of \$250²⁷³⁰

²⁷²⁰ Iowa Code § [710.10](#)(3).

²⁷²¹ Iowa Code § [902.9](#)(1)(e).

²⁷²² Iowa Code § [902.9](#)(1)(e).

²⁷²³ See Iowa Code § [907.3](#).

²⁷²⁴ Iowa Code § [902.9](#)(1)(e).

²⁷²⁵ Iowa Code § [902.9](#)(1)(e).

²⁷²⁶ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁷²⁷ Iowa Code § [911.1](#)(1).

²⁷²⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁷²⁹ Iowa Code § [692A.102](#)(1)(c)(30).

²⁷³⁰ Iowa Code § [692A.110](#).

§ 710.10(4)—With intent to commit illegal act upon minor under age 16

Class = aggravated misdemeanor²⁷³¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, SS Eligible?
2 years ²⁷³²	0 ²⁷³³	None	Yes ²⁷³⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁷³⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁷³⁶	\$625 ²⁷³⁷	Yes ²⁷³⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷³⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁴⁰	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - Fact finder “determines the illegal act was sexually motivated”²⁷⁴¹
 - If yes, the offender shall be assessed a civil penalty of \$250²⁷⁴²

²⁷³¹ Iowa Code § [710.10](#)(4).

²⁷³² Iowa Code § [903.1](#)(2).

²⁷³³ Iowa Code § [903.1](#)(2).

²⁷³⁴ See Iowa Code § [907.3](#).

²⁷³⁵ Iowa Code § [903.1](#)(2).

²⁷³⁶ Iowa Code § [903.1](#)(2).

²⁷³⁷ Iowa Code § [903.1](#)(2).

²⁷³⁸ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁷³⁹ Iowa Code § [911.1](#)(1).

²⁷⁴⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁷⁴¹ Iowa Code § [710.10](#)(4).

²⁷⁴² Iowa Code § [692A.110](#).

§ 710.11—Purchase or Sale of Individual

Class = “C” felony²⁷⁴³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁷⁴⁴	0 ²⁷⁴⁵	No, but see Enhancements	Yes ²⁷⁴⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁷⁴⁷	\$1000 ²⁷⁴⁸	Yes ²⁷⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁵⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁵¹	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - “determination is made that the offense was sexually motivated pursuant to section [692A.126](#)”²⁷⁵²
 - If yes, the offender shall be assessed a civil penalty of \$250²⁷⁵³

²⁷⁴³ Iowa Code § [710.11](#).

²⁷⁴⁴ Iowa Code § [902.9](#)(1)(d).

²⁷⁴⁵ Iowa Code § [902.9](#)(1)(d).

²⁷⁴⁶ See Iowa Code § [907.3](#).

²⁷⁴⁷ Iowa Code § [902.9](#)(1)(d).

²⁷⁴⁸ Iowa Code § [902.9](#)(1)(d).

²⁷⁴⁹ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁷⁵⁰ Iowa Code § [911.1](#)(1).

²⁷⁵¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁷⁵² Iowa Code § [692A.102](#)(1)(c)(24).

²⁷⁵³ Iowa Code § [692A.110](#).

CH. 710A HUMAN TRAFFICKING

§ 710A.2—Human Trafficking

§ 710A.2(1)—Basic human trafficking

Victim is 18 years old or older

Class = “D” felony²⁷⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁷⁵⁵	0 ²⁷⁵⁶	No, but see Enhancements	No, ²⁷⁵⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁷⁵⁸	\$750 ²⁷⁵⁹	No, ²⁷⁶⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁶¹	No	Yes, \$1000 ²⁷⁶²	Yes, \$100 ²⁷⁶³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁶⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷⁶⁵ or
 - sexual conduct or sexual contact is an element of the offense²⁷⁶⁶
 - If yes, the offender shall be assessed a civil penalty of \$250²⁷⁶⁷

²⁷⁵⁴ Iowa Code § [710A.2\(1\)](#).

²⁷⁵⁵ Iowa Code § [902.9\(1\)\(e\)](#).

²⁷⁵⁶ Iowa Code § [902.9\(1\)\(e\)](#).

²⁷⁵⁷ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11\(1\)](#) (including felonious “human trafficking” as a forcible felony).

²⁷⁵⁸ Iowa Code § [902.9\(1\)\(e\)](#).

²⁷⁵⁹ Iowa Code § [902.9\(1\)\(e\)](#).

²⁷⁶⁰ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11\(1\)](#) (including felonious “human trafficking” as a forcible felony).

²⁷⁶¹ Iowa Code § [911.1\(1\)](#).

²⁷⁶² Iowa Code § [911.2A\(1\)](#).

²⁷⁶³ Iowa Code § [911.2B\(1\)](#).

²⁷⁶⁴ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

²⁷⁶⁵ Iowa Code § [692A.102\(1\)\(c\)\(23\)](#).

²⁷⁶⁶ Iowa Code § [692A.102\(1\)\(c\)\(23\)](#).

²⁷⁶⁷ Iowa Code § [692A.110](#).

Victim is under 18 years old

Class = “C” felony²⁷⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁷⁶⁹	0 ²⁷⁷⁰	No, but see Enhancements	No, ²⁷⁷¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁷⁷²	\$1000 ²⁷⁷³	No, ²⁷⁷⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁷⁵	No	Yes, \$1000 ²⁷⁷⁶	Yes, \$100 ²⁷⁷⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁷⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷⁷⁹ or
 - sexual conduct or sexual contact is an element of the offense²⁷⁸⁰
 - If yes, the offender shall be assessed a civil penalty of \$250²⁷⁸¹

²⁷⁶⁸ Iowa Code § [710A.2](#)(1).

²⁷⁶⁹ Iowa Code § [902.9](#)(1)(d).

²⁷⁷⁰ Iowa Code § [902.9](#)(1)(d).

²⁷⁷¹ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁷² Iowa Code § [902.9](#)(1)(d).

²⁷⁷³ Iowa Code § [902.9](#)(1)(d).

²⁷⁷⁴ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁷⁵ Iowa Code § [911.1](#)(1).

²⁷⁷⁶ Iowa Code § [911.2](#)A(1).

²⁷⁷⁷ Iowa Code § [911.2](#)B(1).

²⁷⁷⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁷⁷⁹ Iowa Code § [692A.102](#)(1)(c)(23).

²⁷⁸⁰ Iowa Code § [692A.102](#)(1)(c)(23).

²⁷⁸¹ Iowa Code § [692A.110](#).

§ 710A.2(2)—By causing or threatening to cause serious physical injury

Victim is 18 years old or older

Class = “C” felony²⁷⁸²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁷⁸³	0 ²⁷⁸⁴	No, but see Enhancements	No, ²⁷⁸⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁷⁸⁶	\$1000 ²⁷⁸⁷	No, ²⁷⁸⁸ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁷⁸⁹	No	Yes, \$1000 ²⁷⁹⁰	Yes, \$100 ²⁷⁹¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁷⁹²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁷⁹³ or
 - sexual conduct or sexual contact is an element of the offense²⁷⁹⁴
 - If yes, the offender shall be assessed a civil penalty of \$250²⁷⁹⁵

²⁷⁸² Iowa Code § 710A.2(2).

²⁷⁸³ Iowa Code § 902.9(1)(d).

²⁷⁸⁴ Iowa Code § 902.9(1)(d).

²⁷⁸⁵ Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁸⁶ Iowa Code § 902.9(1)(d).

²⁷⁸⁷ Iowa Code § 902.9(1)(d).

²⁷⁸⁸ Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁷⁸⁹ Iowa Code § 911.1(1).

²⁷⁹⁰ Iowa Code § 911.2A(1).

²⁷⁹¹ Iowa Code § 911.2B(1).

²⁷⁹² Iowa Code §§ 81.2(1), 901.5(8A)(a).

²⁷⁹³ Iowa Code § 692A.102(1)(c)(23).

²⁷⁹⁴ Iowa Code § 692A.102(1)(c)(23).

²⁷⁹⁵ Iowa Code § 692A.110.

Victim is under 18 years oldClass = “B” felony²⁷⁹⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁷⁹⁷	0 ²⁷⁹⁸	No, but see Enhancements	No, ²⁷⁹⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁸⁰⁰	0 ²⁸⁰¹	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	Yes, \$1000 ²⁸⁰²	Yes, \$100 ²⁸⁰³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁰⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸⁰⁵ or
 - sexual conduct or sexual contact is an element of the offense²⁸⁰⁶
 - If yes, the offender shall be assessed a civil penalty of \$250²⁸⁰⁷

²⁷⁹⁶ Iowa Code § [710A.2](#)(2).²⁷⁹⁷ Iowa Code § [902.9](#)(1)(d).²⁷⁹⁸ Iowa Code § [902.9](#)(1)(d).²⁷⁹⁹ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).²⁸⁰⁰ Iowa Code § [902.9](#)(1)(d).²⁸⁰¹ Iowa Code § [902.9](#)(1)(d).²⁸⁰² Iowa Code § [911.2](#)A(1).²⁸⁰³ Iowa Code § [911.2](#)B(1).²⁸⁰⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).²⁸⁰⁵ Iowa Code § [692A.102](#)(1)(c)(23).²⁸⁰⁶ Iowa Code § [692A.102](#)(1)(c)(23).²⁸⁰⁷ Iowa Code § [692A.110](#).

§ 710A.2(3)—By physically restraining or threatening to physically restrain

Victim is 18 years old or older

Class = “D” felony²⁸⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁸⁰⁹	0 ²⁸¹⁰	No, but see Enhancements	No, ²⁸¹¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁸¹²	\$750 ²⁸¹³	No, ²⁸¹⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸¹⁵	No	Yes, \$1000 ²⁸¹⁶	Yes, \$100 ²⁸¹⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸¹⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸¹⁹ or
 - sexual conduct or sexual contact is an element of the offense²⁸²⁰
 - If yes, the offender shall be assessed a civil penalty of \$250²⁸²¹

²⁸⁰⁸ Iowa Code § [710A.2](#)(3).

²⁸⁰⁹ Iowa Code § [902.9](#)(1)(e).

²⁸¹⁰ Iowa Code § [902.9](#)(1)(e).

²⁸¹¹ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁸¹² Iowa Code § [902.9](#)(1)(e).

²⁸¹³ Iowa Code § [902.9](#)(1)(e).

²⁸¹⁴ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁸¹⁵ Iowa Code § [911.1](#)(1).

²⁸¹⁶ Iowa Code § [911.2](#)A(1).

²⁸¹⁷ Iowa Code § [911.2](#)B(1).

²⁸¹⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁸¹⁹ Iowa Code § [692A.102](#)(1)(c)(23).

²⁸²⁰ Iowa Code § [692A.102](#)(1)(c)(23).

²⁸²¹ Iowa Code § [692A.110](#).

Victim under 18 years old

Class = “C” felony²⁸²²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁸²³	0 ²⁸²⁴	No, but see Enhancements	No, ²⁸²⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁸²⁶	\$1000 ²⁸²⁷	No, ²⁸²⁸ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸²⁹	No	Yes, \$1000 ²⁸³⁰	Yes, \$100 ²⁸³¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸³²	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸³³ or
 - sexual conduct or sexual contact is an element of the offense²⁸³⁴
 - If yes, the offender shall be assessed a civil penalty of \$250²⁸³⁵

²⁸²² Iowa Code § [710A.2](#)(3).

²⁸²³ Iowa Code § [902.9](#)(1)(d).

²⁸²⁴ Iowa Code § [902.9](#)(1)(d).

²⁸²⁵ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁸²⁶ Iowa Code § [902.9](#)(1)(d).

²⁸²⁷ Iowa Code § [902.9](#)(1)(d).

²⁸²⁸ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁸²⁹ Iowa Code § [911.1](#)(1).

²⁸³⁰ Iowa Code § [911.2](#)A(1).

²⁸³¹ Iowa Code § [911.2](#)B(1).

²⁸³² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁸³³ Iowa Code § [692A.102](#)(1)(c)(23).

²⁸³⁴ Iowa Code § [692A.102](#)(1)(c)(23).

²⁸³⁵ Iowa Code § [692A.110](#).

§ 710A.2(4)—By soliciting services or benefitting from services

Victim is 18 years old or older

Class = “D” felony²⁸³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁸³⁷	0 ²⁸³⁸	No, but see Enhancements	No, ²⁸³⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁸⁴⁰	\$750 ²⁸⁴¹	No, ²⁸⁴² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁴³	No	Yes, \$1000 ²⁸⁴⁴	Yes, \$100 ²⁸⁴⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁴⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸⁴⁷ or
 - sexual conduct or sexual contact is an element of the offense²⁸⁴⁸
 - If yes, the offender shall be assessed a civil penalty of \$250²⁸⁴⁹

²⁸³⁶ Iowa Code § [710A.2](#)(4).

²⁸³⁷ Iowa Code § [902.9](#)(1)(e).

²⁸³⁸ Iowa Code § [902.9](#)(1)(e).

²⁸³⁹ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁴⁰ Iowa Code § [902.9](#)(1)(e).

²⁸⁴¹ Iowa Code § [902.9](#)(1)(e).

²⁸⁴² Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁴³ Iowa Code § [911.1](#)(1).

²⁸⁴⁴ Iowa Code § [911.2](#)A(1).

²⁸⁴⁵ Iowa Code § [911.2](#)B(1).

²⁸⁴⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁸⁴⁷ Iowa Code § [692A.102](#)(1)(c)(23).

²⁸⁴⁸ Iowa Code § [692A.102](#)(1)(c)(23).

²⁸⁴⁹ Iowa Code § [692A.110](#).

Victim is under 18 years oldClass = “C” felony²⁸⁵⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁸⁵¹	0 ²⁸⁵²	No, but see Enhancements	No, ²⁸⁵³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁸⁵⁴	\$1000 ²⁸⁵⁵	No, ²⁸⁵⁶ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁵⁷	No	Yes, \$1000 ²⁸⁵⁸	Yes, \$100 ²⁸⁵⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁶⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸⁶¹ or
 - sexual conduct or sexual contact is an element of the offense²⁸⁶²
 - If yes, the offender shall be assessed a civil penalty of \$250²⁸⁶³

²⁸⁵⁰ Iowa Code § [710A.2](#)(4).²⁸⁵¹ Iowa Code § [902.9](#)(1)(d).²⁸⁵² Iowa Code § [902.9](#)(1)(d).²⁸⁵³ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).²⁸⁵⁴ Iowa Code § [902.9](#)(1)(d).²⁸⁵⁵ Iowa Code § [902.9](#)(1)(d).²⁸⁵⁶ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).²⁸⁵⁷ Iowa Code § [911.1](#)(1).²⁸⁵⁸ Iowa Code § [911.2](#)A(1).²⁸⁵⁹ Iowa Code § [911.2](#)B(1).²⁸⁶⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).²⁸⁶¹ Iowa Code § [692A.102](#)(1)(c) (23).²⁸⁶² Iowa Code § [692A.102](#)(1)(c) (23).²⁸⁶³ Iowa Code § [692A.110](#).

§ 710A.2(5)—By abusing or threatening to abuse the law or legal process

Victim is 18 years old or older

Class = “D” felony²⁸⁶⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁸⁶⁵	0 ²⁸⁶⁶	No, but see Enhancements	No, ²⁸⁶⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁸⁶⁸	\$750 ²⁸⁶⁹	No, ²⁸⁷⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁷¹	No	Yes, \$1000 ²⁸⁷²	Yes, \$100 ²⁸⁷³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁷⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸⁷⁵ or
 - sexual conduct or sexual contact is an element of the offense²⁸⁷⁶
 - If yes, the offender shall be assessed a civil penalty of \$250²⁸⁷⁷

²⁸⁶⁴ Iowa Code § [710A.2\(5\)](#).

²⁸⁶⁵ Iowa Code § [902.9\(1\)\(e\)](#).

²⁸⁶⁶ Iowa Code § [902.9\(1\)\(e\)](#).

²⁸⁶⁷ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11\(1\)](#) (including felonious “human trafficking” as a forcible felony).

²⁸⁶⁸ Iowa Code § [902.9\(1\)\(e\)](#).

²⁸⁶⁹ Iowa Code § [902.9\(1\)\(e\)](#).

²⁸⁷⁰ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11\(1\)](#) (including felonious “human trafficking” as a forcible felony).

²⁸⁷¹ Iowa Code § [911.1\(1\)](#).

²⁸⁷² Iowa Code § [911.2A\(1\)](#).

²⁸⁷³ Iowa Code § [911.2B\(1\)](#).

²⁸⁷⁴ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

²⁸⁷⁵ Iowa Code § [692A.102\(1\)\(c\) \(23\)](#).

²⁸⁷⁶ Iowa Code § [692A.102\(1\)\(c\) \(23\)](#).

²⁸⁷⁷ Iowa Code § [692A.110](#).

Victim is under 18 years old

Class = “C” felony²⁸⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁸⁷⁹	0 ²⁸⁸⁰	No, but see Enhancements	No, ²⁸⁸¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁸⁸²	\$1000 ²⁸⁸³	No, ²⁸⁸⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁸⁵	No	Yes, \$1000 ²⁸⁸⁶	Yes, \$100 ²⁸⁸⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁸⁸⁸	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁸⁸⁹ or
 - sexual conduct or sexual contact is an element of the offense²⁸⁹⁰
 - If yes, the offender shall be assessed a civil penalty of \$250²⁸⁹¹

²⁸⁷⁸ Iowa Code § [710A.2](#)(5).

²⁸⁷⁹ Iowa Code § [902.9](#)(1)(d).

²⁸⁸⁰ Iowa Code § [902.9](#)(1)(d).

²⁸⁸¹ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁸² Iowa Code § [902.9](#)(1)(d).

²⁸⁸³ Iowa Code § [902.9](#)(1)(d).

²⁸⁸⁴ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁸⁸⁵ Iowa Code § [911.1](#)(1).

²⁸⁸⁶ Iowa Code § [911.2](#)A(1).

²⁸⁸⁷ Iowa Code § [911.2](#)B(1).

²⁸⁸⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁸⁸⁹ Iowa Code § [692A.102](#)(1)(c) (23).

²⁸⁹⁰ Iowa Code § [692A.102](#)(1)(c) (23).

²⁸⁹¹ Iowa Code § [692A.110](#).

§ 710A.2(6)—By interfering with any passport, immigration document, or government identification document

Victim is 18 years old or older

Class = “D” felony²⁸⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁸⁹³	0 ²⁸⁹⁴	No, but see Enhancements	No, ²⁸⁹⁵ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁸⁹⁶	\$750 ²⁸⁹⁷	No, ²⁸⁹⁸ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁸⁹⁹	No	Yes, \$1000 ²⁹⁰⁰	Yes, \$100 ²⁹⁰¹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁰²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁹⁰³ *or*
 - sexual conduct or sexual contact is an element of the offense²⁹⁰⁴
 - If yes, the offender shall be assessed a civil penalty of \$250²⁹⁰⁵

²⁸⁹² Iowa Code § [710A.2\(6\)](#).

²⁸⁹³ Iowa Code § [902.9\(1\)\(e\)](#).

²⁸⁹⁴ Iowa Code § [902.9\(1\)\(e\)](#).

²⁸⁹⁵ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11\(1\)](#) (including felonious “human trafficking” as a forcible felony).

²⁸⁹⁶ Iowa Code § [902.9\(1\)\(e\)](#).

²⁸⁹⁷ Iowa Code § [902.9\(1\)\(e\)](#).

²⁸⁹⁸ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11\(1\)](#) (including felonious “human trafficking” as a forcible felony).

²⁸⁹⁹ Iowa Code § [911.1\(1\)](#).

²⁹⁰⁰ Iowa Code § [911.2A\(1\)](#).

²⁹⁰¹ Iowa Code § [911.2B\(1\)](#).

²⁹⁰² Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

²⁹⁰³ Iowa Code § [692A.102\(1\)\(c\) \(23\)](#).

²⁹⁰⁴ Iowa Code § [692A.102\(1\)\(c\) \(23\)](#).

²⁹⁰⁵ Iowa Code § [692A.110](#).

Victim is under 18 years old

Class = “C” felony²⁹⁰⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁹⁰⁷	0 ²⁹⁰⁸	No, but see Enhancements	No, ²⁹⁰⁹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁹¹⁰	\$1000 ²⁹¹¹	No, ²⁹¹² but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹¹³	No	Yes, \$1000 ²⁹¹⁴	Yes, \$100 ²⁹¹⁵	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹¹⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁹¹⁷ or
 - sexual conduct or sexual contact is an element of the offense²⁹¹⁸
 - If yes, the offender shall be assessed a civil penalty of \$250²⁹¹⁹

²⁹⁰⁶ Iowa Code § [710A.2](#)(6).

²⁹⁰⁷ Iowa Code § [902.9](#)(1)(d).

²⁹⁰⁸ Iowa Code § [902.9](#)(1)(d).

²⁹⁰⁹ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁹¹⁰ Iowa Code § [902.9](#)(1)(d).

²⁹¹¹ Iowa Code § [902.9](#)(1)(d).

²⁹¹² Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁹¹³ Iowa Code § [911.1](#)(1).

²⁹¹⁴ Iowa Code § [911.2](#)A(1).

²⁹¹⁵ Iowa Code § [911.2](#)B(1).

²⁹¹⁶ Iowa Code §§ [81.2](#)(1) (2016), [901.5](#)(8A)(a).

²⁹¹⁷ Iowa Code § [692A.102](#)(1)(c) (23).

²⁹¹⁸ Iowa Code § [692A.102](#)(1)(c) (23).

²⁹¹⁹ Iowa Code § [692A.110](#).

§ 710A.2(7)—Financial or other benefit from participating in human trafficking

Victim is 18 years old or older

Class = “D” felony²⁹²⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁹²¹	0 ²⁹²²	No, but see Enhancements	No, ²⁹²³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁹²⁴	\$750 ²⁹²⁵	No, ²⁹²⁶ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹²⁷	No	Yes, \$1000 ²⁹²⁸	Yes, \$100 ²⁹²⁹	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹³⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁹³¹ or
 - sexual conduct or sexual contact is an element of the offense²⁹³²
 - If yes, the offender shall be assessed a civil penalty of \$250²⁹³³

²⁹²⁰ Iowa Code § 710A.2(7).

²⁹²¹ Iowa Code § 902.9(1)(e).

²⁹²² Iowa Code § 902.9(1)(e).

²⁹²³ Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁹²⁴ Iowa Code § 902.9(1)(e).

²⁹²⁵ Iowa Code § 902.9(1)(e).

²⁹²⁶ Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁹²⁷ Iowa Code § 911.1(1).

²⁹²⁸ Iowa Code § 911.2A(1).

²⁹²⁹ Iowa Code § 911.2B(1).

²⁹³⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a).

²⁹³¹ Iowa Code § 692A.102(1)(c) (23).

²⁹³² Iowa Code § 692A.102(1)(c) (23).

²⁹³³ Iowa Code § 692A.110.

Victim is under 18 years oldClass = “C” felony²⁹³⁴**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁹³⁵	0 ²⁹³⁶	No, but see Enhancements	No, ²⁹³⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁹³⁸	\$1000 ²⁹³⁹	No, ²⁹⁴⁰ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁴¹	No	Yes, \$1000 ²⁹⁴²	Yes, \$100 ²⁹⁴³	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁴⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if sexual abuse or assault with intent to commit sexual abuse is committed,²⁹⁴⁵ or
 - sexual conduct or sexual contact is an element of the offense²⁹⁴⁶
 - If yes, the offender shall be assessed a civil penalty of \$250²⁹⁴⁷

²⁹³⁴ Iowa Code § [710A.2](#)(7).²⁹³⁵ Iowa Code § [902.9](#)(1)(d).²⁹³⁶ Iowa Code § [902.9](#)(1)(d).²⁹³⁷ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).²⁹³⁸ Iowa Code § [902.9](#)(1)(d).²⁹³⁹ Iowa Code § [902.9](#)(1)(d).²⁹⁴⁰ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).²⁹⁴¹ Iowa Code § [911.1](#)(1).²⁹⁴² Iowa Code § [911.2](#)A(1).²⁹⁴³ Iowa Code § [911.2](#)B(1).²⁹⁴⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).²⁹⁴⁵ Iowa Code § [692A.102](#)(1)(c) (23).²⁹⁴⁶ Iowa Code § [692A.102](#)(1)(c) (23).²⁹⁴⁷ Iowa Code § [692A.110](#).

§ 710A.2A—Solicitation of Commercial Sexual Activity

Class = “D” felony²⁹⁴⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁹⁴⁹	0 ²⁹⁵⁰	No, but see Enhancements	No, ²⁹⁵¹ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁹⁵²	\$750 ²⁹⁵³	No, ²⁹⁵⁴ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁵⁵	No	Yes, \$1000 ²⁹⁵⁶	Yes, \$100 ²⁹⁵⁷	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁵⁸	Yes ²⁹⁵⁹ The offender shall be assessed a civil penalty of \$250 ²⁹⁶⁰	No

Notes:

²⁹⁴⁸ Iowa Code § [710A.2A](#).

²⁹⁴⁹ Iowa Code § [902.9](#)(1)(e).

²⁹⁵⁰ Iowa Code § [902.9](#)(1)(e).

²⁹⁵¹ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁹⁵² Iowa Code § [902.9](#)(1)(e).

²⁹⁵³ Iowa Code § [902.9](#)(1)(e).

²⁹⁵⁴ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “human trafficking” as a forcible felony).

²⁹⁵⁵ Iowa Code § [911.1](#)(1).

²⁹⁵⁶ Iowa Code § [911.2](#)A(1).

²⁹⁵⁷ Iowa Code § [911.2](#)B(1).

²⁹⁵⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

²⁹⁵⁹ Iowa Code § [692A.102](#)(1)(c)(31).

²⁹⁶⁰ Iowa Code § [692A.110](#).

Ch. 711 Robbery and Extortion

§ 711.2—First-Degree Robbery

Class = “B” felony²⁹⁶¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ²⁹⁶²	0 ²⁹⁶³	If convicted on or after 7/1/2018, not eligible until has served between 50–70% of max. term of sentence, ²⁹⁶⁴ <ul style="list-style-type: none"> ▪ court must determine at time of sentencing when person is to become eligible for parole or work release²⁹⁶⁵ ▪ determination should be “based upon all pertinent information including the person's criminal record, a validated risk assessment, and the negative impact the offense has had on the victim or other persons”²⁹⁶⁶ But see Under 18 Sentencing See also Enhancements	No, ²⁹⁶⁷ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ²⁹⁶⁸	0 ²⁹⁶⁹	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁷⁰	No	No

Notes:

²⁹⁶¹ Iowa Code § [711.2](#).

²⁹⁶² Iowa Code § [902.9\(1\)\(b\)](#).

²⁹⁶³ Iowa Code § [902.9\(1\)\(b\)](#).

²⁹⁶⁴ [Iowa Code § 902.12\(2A\) \(2019\)](#) (added by 2019 Iowa Acts ch. 140, § 8, effective 7/1/2019).

²⁹⁶⁵ [Iowa Code § 902.11\(2A\) \(2019\)](#) (added by 2019 Iowa Acts ch. 140, § 6, effective 7/1/2019).

²⁹⁶⁶ [Iowa Code § 902.11\(2A\) \(2019\)](#) (added by 2019 Iowa Acts ch. 140, § 6, effective 7/1/2019).

²⁹⁶⁷ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11\(1\)](#) (including felonious “robbery” as a forcible felony).

²⁹⁶⁸ *See* Iowa Code § [902.9\(1\)\(b\)](#).

²⁹⁶⁹ *See* Iowa Code § [902.9\(1\)\(b\)](#).

²⁹⁷⁰ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 711.3—Second-Degree Robbery

Class = “C” felony²⁹⁷¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ²⁹⁷²	0 ²⁹⁷³	<ul style="list-style-type: none"> ❖ If convicted on or before 6/30/2016, not eligible until has served 70% of max. term of sentence,²⁹⁷⁴ but see Under 18 Sentencing ❖ If convicted on or after 7/1/2016, not eligible until has served between 50% and 70% of max. term of sentence,²⁹⁷⁵ but see Under 18 Sentencing <ul style="list-style-type: none"> ▪ court must determine at time of sentencing when person is to become eligible for parole or work release²⁹⁷⁶ <ul style="list-style-type: none"> ▪ determination should be “based upon all pertinent information including the person's criminal record, a validated risk assessment, and the negative impact the offense has had on the victim or other persons”²⁹⁷⁷ <p>See also Enhancements</p>	No, ²⁹⁷⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ²⁹⁷⁹	\$1000 ²⁹⁸⁰	No, ²⁹⁸¹ but see Under 18 Sentencing

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁸²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁸³	No	No

Notes:

²⁹⁷¹ Iowa Code § 711.3.

²⁹⁷² Iowa Code § 902.9(1)(d).

²⁹⁷³ Iowa Code § 902.9(1)(d).

²⁹⁷⁴ Iowa Code § 902.12(1)(e).

²⁹⁷⁵ Iowa Code § 902.12(3).

²⁹⁷⁶ Iowa Code § 901.11(3).

²⁹⁷⁷ Iowa Code § 901.11(3).

²⁹⁷⁸ Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious “robbery” as a forcible felony).

²⁹⁷⁹ Iowa Code § 902.9(1)(d).

²⁹⁸⁰ Iowa Code § 902.9(1)(d).

²⁹⁸¹ Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious “human trafficking” as a forcible felony).

²⁹⁸² Iowa Code § 911.1(1).

²⁹⁸³ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§711.3B—Aggravated Theft

Class = aggravated misdemeanor²⁹⁸⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ²⁹⁸⁵	0 ²⁹⁸⁶	None	Yes ²⁹⁸⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term²⁹⁸⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ²⁹⁸⁹	\$625 ²⁹⁹⁰	Yes ²⁹⁹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ²⁹⁹²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ²⁹⁹³	No	No

Notes:

²⁹⁸⁴ Iowa Code § [711.3B](#)(2)(a) (2019) (as added by [2019 Iowa Acts ch. 140, § 4](#), effective 7/1/2019).

²⁹⁸⁵ Iowa Code § [903.1](#)(2).

²⁹⁸⁶ Iowa Code § [903.1](#)(2).

²⁹⁸⁷ See Iowa Code § [907.3](#), unnum. para..

²⁹⁸⁸ Iowa Code § [903.1](#)(2).

²⁹⁸⁹ Iowa Code § [903.1](#)(2).

²⁹⁹⁰ Iowa Code § [903.1](#)(2).

²⁹⁹¹ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

²⁹⁹² Iowa Code § [911.1](#)(1).

²⁹⁹³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 711.3B—Aggravated theft with prior conviction for aggravated theft, robbery, or extortion

Class = “D” felony²⁹⁹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ²⁹⁹⁵	0 ²⁹⁹⁶	No, but see Enhancements	Yes ²⁹⁹⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ²⁹⁹⁸	\$750 ²⁹⁹⁹	Yes ³⁰⁰⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁰¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁰²	No	No

Notes:

²⁹⁹⁴ [Iowa Code § 711.3B\(2\)\(b\) \(2019\)](#) (as added by 2019 Iowa Acts ch.140, § 4, effective 7/1/2019).

²⁹⁹⁵ Iowa Code § [902.9](#)(1)(e).

²⁹⁹⁶ Iowa Code § [902.9](#)(1)(e).

²⁹⁹⁷ See Iowa Code § [907.3](#).

²⁹⁹⁸ Iowa Code § [902.9](#)(1)(e).

²⁹⁹⁹ Iowa Code § [902.9](#)(1)(e).

³⁰⁰⁰ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁰¹ Iowa Code § [911.1](#)(1).

³⁰⁰² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 711.4—Extortion

Class = “D” felony³⁰⁰³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁰⁰⁴	0 ³⁰⁰⁵	No, but see Enhancements	Yes ³⁰⁰⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁰⁰⁷	\$750 ³⁰⁰⁸	Yes ³⁰⁰⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰¹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰¹¹	No	No

Notes:

³⁰⁰³ Iowa Code § [711.4\(2\)](#).

³⁰⁰⁴ Iowa Code § [902.9\(1\)\(e\)](#).

³⁰⁰⁵ Iowa Code § [902.9\(1\)\(e\)](#).

³⁰⁰⁶ See Iowa Code § [907.3](#).

³⁰⁰⁷ Iowa Code § [902.9\(1\)\(e\)](#).

³⁰⁰⁸ Iowa Code § [902.9\(1\)\(e\)](#).

³⁰⁰⁹ See Iowa Code § [902.9\(1\)\(e\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰¹⁰ Iowa Code § [911.1\(1\)](#).

³⁰¹¹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

Ch. 712 Arson

§ 712.2—First-Degree Arson

Class = “B” felony³⁰¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ³⁰¹³	0 ³⁰¹⁴	If convicted on or after 7/1/2019, not eligible until has served between 50–70% of max. term of sentence, ³⁰¹⁵ but see Under 18 Sentencing <ul style="list-style-type: none"> ▪ court must determine at time of sentencing when person is to become eligible for parole or work release³⁰¹⁶ ▪ determination should be “based upon all pertinent information including the person's criminal record, a validated risk assessment, and the negative impact the offense has had on the victim or other persons”³⁰¹⁷ See Enhancements	No, ³⁰¹⁸ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ³⁰¹⁹	0 ³⁰²⁰	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰²¹	No	No

Notes:

³⁰¹² Iowa Code § [712.2](#), unnum. para. 2.

³⁰¹³ Iowa Code § [902.9\(1\)\(b\)](#).

³⁰¹⁴ Iowa Code § [902.9\(1\)\(b\)](#).

³⁰¹⁵ [Iowa Code § 902.12\(4\) \(2019\)](#) (added by 2019 Iowa Acts ch. 140, § 39, effective 7/1/2019).

³⁰¹⁶ [Iowa Code § 902.11\(4\) \(2019\)](#) (added by 2019 Iowa Acts ch. 140, § 38, effective 7/1/2019).

³⁰¹⁷ [Iowa Code § 902.11\(4\) \(2019\)](#) (added by 2019 Iowa Acts ch. 140, § 38, effective 7/1/2019).

³⁰¹⁸ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11\(1\)](#) (including “arson in the first degree” as a forcible felony).

³⁰¹⁹ *See* Iowa Code § [902.9\(1\)\(b\)](#).

³⁰²⁰ *See* Iowa Code § [902.9\(1\)\(b\)](#).

³⁰²¹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 712.3—Second-Degree Arson

Class = “C” felony³⁰²²

- ❖ if violation is “also a hate crime as defined in section [729A.2](#), [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”³⁰²³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁰²⁴	0 ³⁰²⁵	No, but see Enhancements	Yes ³⁰²⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁰²⁷	\$1000 ³⁰²⁸	Yes ³⁰²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰³⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰³¹	No	No

Notes:

³⁰²² Iowa Code § [712.3](#).

³⁰²³ Iowa Code § [712.9](#).

³⁰²⁴ Iowa Code § [902.9\(1\)\(d\)](#).

³⁰²⁵ Iowa Code § [902.9\(1\)\(d\)](#).

³⁰²⁶ See Iowa Code § [907.3](#).

³⁰²⁷ Iowa Code § [902.9\(1\)\(d\)](#).

³⁰²⁸ Iowa Code § [902.9\(1\)\(d\)](#).

³⁰²⁹ See Iowa Code § [902.9\(1\)\(d\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰³⁰ Iowa Code § [911.1\(1\)](#).

³⁰³¹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 712.4—Third-Degree Arson

Class = aggravated misdemeanor³⁰³²

- ❖ if violation is “also a hate crime as defined in section [729A.2](#), [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”³⁰³³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁰³⁴	0 ³⁰³⁵	None	Yes ³⁰³⁶

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁰³⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁰³⁸	\$625 ³⁰³⁹	Yes ³⁰⁴⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁴¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁴²	No	No

Notes:

³⁰³² Iowa Code § [712.4](#).

³⁰³³ Iowa Code § [712.9](#).

³⁰³⁴ Iowa Code § [903.1\(2\)](#).

³⁰³⁵ Iowa Code § [903.1\(2\)](#).

³⁰³⁶ See Iowa Code § [907.3](#), unnum. para..

³⁰³⁷ Iowa Code § [903.1\(2\)](#).

³⁰³⁸ Iowa Code § [903.1\(2\)](#).

³⁰³⁹ Iowa Code § [903.1\(2\)](#).

³⁰⁴⁰ See Iowa Code § [903.1\(2\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁴¹ Iowa Code § [911.1\(1\)](#).

³⁰⁴² Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 712.5—Reckless Use of Fire or Explosives

Class = serious misdemeanor³⁰⁴³

- ❖ if violation is “also a hate crime as defined in section [729A.2](#), [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”³⁰⁴⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁰⁴⁵	0 ³⁰⁴⁶	N/A	Yes ³⁰⁴⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁰⁴⁸	\$315 ³⁰⁴⁹	No ³⁰⁵⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁵¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁰⁴³ Iowa Code § [712.5](#).

³⁰⁴⁴ Iowa Code § [712.9](#).

³⁰⁴⁵ Iowa Code § [903.1](#)(1)(b).

³⁰⁴⁶ Iowa Code § [903.1](#)(1)(b).

³⁰⁴⁷ See Iowa Code § [907.3](#).

³⁰⁴⁸ Iowa Code § [903.1](#)(1)(b).

³⁰⁴⁹ Iowa Code § [903.1](#)(1)(b).

³⁰⁵⁰ Iowa Code § [903.1](#)(1).

³⁰⁵¹ Iowa Code § [911.1](#)(1).

§ 712.6—Explosive or Incendiary Materials or Devices

§ 712.6(1)—Possession with intent to use to commit a public offense

Class = “C” felony³⁰⁵²

- ❖ if violation is “also a hate crime as defined in section 729A.2, [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”³⁰⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁰⁵⁴	0 ³⁰⁵⁵	No, but see Enhancements	Yes ³⁰⁵⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁰⁵⁷	\$1000 ³⁰⁵⁸	Yes ³⁰⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁶⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁶¹	No	No

Notes:

³⁰⁵² Iowa Code § 712.6(1).

³⁰⁵³ Iowa Code § 712.9.

³⁰⁵⁴ Iowa Code § 902.9(1)(d).

³⁰⁵⁵ Iowa Code § 902.9(1)(d).

³⁰⁵⁶ See Iowa Code § 907.3.

³⁰⁵⁷ Iowa Code § 902.9(1)(d).

³⁰⁵⁸ Iowa Code § 902.9(1)(d).

³⁰⁵⁹ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁶⁰ Iowa Code § 911.1(1).

³⁰⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 712.6(2)(a)—Possession

Class = aggravated misdemeanor³⁰⁶²

- ❖ if violation is “also a hate crime as defined in section [729A.2](#), [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”³⁰⁶³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁰⁶⁴	0 ³⁰⁶⁵	None	Yes ³⁰⁶⁶

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁰⁶⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁰⁶⁸	\$625 ³⁰⁶⁹	Yes ³⁰⁷⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁷¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁷²	No	No

Notes:

³⁰⁶² Iowa Code § [712.6](#)(2)(a).

³⁰⁶³ Iowa Code § [712.9](#).

³⁰⁶⁴ Iowa Code § [903.1](#)(2).

³⁰⁶⁵ Iowa Code § [903.1](#)(2).

³⁰⁶⁶ See Iowa Code § [907.3](#), unnum. para..

³⁰⁶⁷ Iowa Code § [903.1](#)(2).

³⁰⁶⁸ Iowa Code § [903.1](#)(2).

³⁰⁶⁹ Iowa Code § [903.1](#)(2).

³⁰⁷⁰ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁷¹ Iowa Code § [911.1](#)(1).

³⁰⁷² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 712.6(3)—Placement of simulated device with intent to intimidate, annoy, or alarm

Class = serious misdemeanor³⁰⁷³

- ❖ if violation is “also a hate crime as defined in section [729A.2](#), [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”³⁰⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁰⁷⁵	0 ³⁰⁷⁶	N/A	Yes ³⁰⁷⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁰⁷⁸	\$315 ³⁰⁷⁹	No ³⁰⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁸¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁰⁷³ Iowa Code § [712.6\(3\)](#).

³⁰⁷⁴ Iowa Code § [712.9](#).

³⁰⁷⁵ Iowa Code § [903.1\(1\)\(b\)](#).

³⁰⁷⁶ Iowa Code § [903.1\(1\)\(b\)](#).

³⁰⁷⁷ See Iowa Code § [907.3](#).

³⁰⁷⁸ Iowa Code § [903.1\(1\)\(b\)](#).

³⁰⁷⁹ Iowa Code § [903.1\(1\)\(b\)](#).

³⁰⁸⁰ Iowa Code § [903.1\(1\)](#).

³⁰⁸¹ Iowa Code § [911.1\(1\)](#).

§ 712.7—False Reports

Class = “D” felony³⁰⁸²

- ❖ if violation is “also a hate crime as defined in section [729A.2](#), [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”³⁰⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁰⁸⁴	0 ³⁰⁸⁵	No, but see Enhancements	Yes ³⁰⁸⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁰⁸⁷	\$750 ³⁰⁸⁸	Yes ³⁰⁸⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁰⁹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁰⁹¹	No	No

Notes:

³⁰⁸² Iowa Code § [712.7](#).

³⁰⁸³ Iowa Code § [712.9](#).

³⁰⁸⁴ Iowa Code § [902.9](#)(1)(e).

³⁰⁸⁵ Iowa Code § [902.9](#)(1)(e).

³⁰⁸⁶ See Iowa Code § [907.3](#).

³⁰⁸⁷ Iowa Code § [902.9](#)(1)(e).

³⁰⁸⁸ Iowa Code § [902.9](#)(1)(e).

³⁰⁸⁹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁰⁹⁰ Iowa Code § [911.1](#)(1).

³⁰⁹¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 712.8—Threat or Attempt to Place Incendiary, Explosive, or Destructive Device

Class = “D” felony³⁰⁹²

- ❖ if violation is “also a hate crime as defined in section [729A.2](#), [the violation] shall be classified and punished as an offense one degree higher than the underlying offense”³⁰⁹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁰⁹⁴	0 ³⁰⁹⁵	No, but see Enhancements	Yes ³⁰⁹⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁰⁹⁷	\$750 ³⁰⁹⁸	Yes ³⁰⁹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁰⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁰¹	No	No

Notes:

³⁰⁹² Iowa Code § [712.8](#).

³⁰⁹³ Iowa Code § [712.9](#).

³⁰⁹⁴ Iowa Code § [902.9\(1\)\(e\)](#).

³⁰⁹⁵ Iowa Code § [902.9\(1\)\(e\)](#).

³⁰⁹⁶ See Iowa Code § [907.3](#).

³⁰⁹⁷ Iowa Code § [902.9\(1\)\(e\)](#).

³⁰⁹⁸ Iowa Code § [902.9\(1\)\(e\)](#).

³⁰⁹⁹ See Iowa Code § [902.9\(1\)\(e\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁰⁰ Iowa Code § [911.1\(1\)](#).

³¹⁰¹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

CH. 713 BURGLARY

§ 713.3—First-Degree Burglary

Class = “B” felony³¹⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ³¹⁰³	0 ³¹⁰⁴	No, but burglary as defined in § 713.1 can be a SVO, ³¹⁰⁵ so see Enhancements	No, ³¹⁰⁶ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ³¹⁰⁷	0 ³¹⁰⁸	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	Yes, \$125 ³¹⁰⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹¹⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - if person violated § 713.3(1)(a), (b), or (c) *and* fact finder determined beyond a reasonable doubt the burglary was sexually motivated³¹¹¹
 - if person violated § 713.3(1)(d)³¹¹²
 - If yes, the offender shall be assessed a civil penalty of \$250³¹¹³

³¹⁰² Iowa Code § 713.3(2).

³¹⁰³ Iowa Code § 902.9(1)(b).

³¹⁰⁴ Iowa Code § 902.9(1)(b).

³¹⁰⁵ Iowa Code § 229A.2(11) (3); *see id.* § 229A.2(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).

³¹⁰⁶ Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including “burglary in the first degree” as a forcible felony).

³¹⁰⁷ *See* Iowa Code § 902.9(1)(b).

³¹⁰⁸ *See* Iowa Code § 902.9(1)(b).

³¹⁰⁹ Iowa Code § 911.3(1)(a).

³¹¹⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a).

³¹¹¹ Iowa Code §§ 692A.102(1)(c) (17), 692A.126(1)(n), 713.3(3).

³¹¹² Iowa Code § 692A.102(1)(c) (16).

³¹¹³ Iowa Code § 692A.110.

§ 713.4—Attempted First-Degree Burglary

Class = “C” felony³¹¹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³¹¹⁵	0 ³¹¹⁶	No, but see Enhancements	Yes ³¹¹⁷

Fines

Max.	Min.	Can Suspend?
\$10,000 ³¹¹⁸	\$1000 ³¹¹⁹	Yes ³¹²⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹²¹	No	No	No	No	Yes, \$125 ³¹²²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹²³	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section [692A.126](#)”³¹²⁴
 - If yes, the offender shall be assessed a civil penalty of \$250³¹²⁵

³¹¹⁴ Iowa Code § [713.4](#)(2).

³¹¹⁵ Iowa Code § [902.9](#)(1)(d).

³¹¹⁶ Iowa Code § [902.9](#)(1)(d).

³¹¹⁷ See Iowa Code § [907.3](#).

³¹¹⁸ Iowa Code § [902.9](#)(1)(d).

³¹¹⁹ Iowa Code § [902.9](#)(1)(d).

³¹²⁰ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹²¹ Iowa Code § [911.1](#)(1).

³¹²² Iowa Code § [911.3](#)(1).

³¹²³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

³¹²⁴ Iowa Code §§ [692A.102](#)(1)(c) (18), [713.4](#)(3).

³¹²⁵ Iowa Code § [692A.110](#).

§ 713.5—Second-Degree Burglary

Class = “C” felony³¹²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³¹²⁷	0 ³¹²⁸	No, but burglary as defined in § 713.1 can be a SVO, ³¹²⁹ so see Enhancements	Yes ³¹³⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ³¹³¹	\$1000 ³¹³²	Yes ³¹³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹³⁴	No	No	No	No	Yes, \$125 ³¹³⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹³⁶	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section [692A.126](#)”³¹³⁷
 - If yes, the offender shall be assessed a civil penalty of \$250³¹³⁸

³¹²⁶ Iowa Code § [713.5](#)(2).

³¹²⁷ Iowa Code § [902.9](#)(1)(d).

³¹²⁸ Iowa Code § [902.9](#)(1)(d).

³¹²⁹ Iowa Code § [229A.2](#)(11) (3); *see id.* § [229A.2](#)(3) (indicating the definition of sexually violent offense is the same as in § [229A.2](#)).

³¹³⁰ See Iowa Code § [907.3](#).

³¹³¹ Iowa Code § [902.9](#)(1)(d).

³¹³² Iowa Code § [902.9](#)(1)(d).

³¹³³ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹³⁴ Iowa Code § [911.1](#)(1).

³¹³⁵ Iowa Code § [911.3](#)(1).

³¹³⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

³¹³⁷ Iowa Code §§ [692A.102](#)(1)(c) (19), [713.5](#)(3).

³¹³⁸ Iowa Code § [692A.110](#).

§ 713.6—Attempted Second-Degree Burglary

Class = “D” felony³¹³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³¹⁴⁰	0 ³¹⁴¹	No, but see Enhancements	Yes ³¹⁴²

Fines

Max.	Min.	Can Suspend?
\$7500 ³¹⁴³	\$750 ³¹⁴⁴	Yes ³¹⁴⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁴⁶	No	No	No	No	Yes ³¹⁴⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁴⁸	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section [692A.126](#)³¹⁴⁹
 - If yes, the offender shall be assessed a civil penalty of \$250³¹⁵⁰

³¹³⁹ Iowa Code § [713.6](#)(2).

³¹⁴⁰ Iowa Code § [902.9](#)(1)(e).

³¹⁴¹ Iowa Code § [902.9](#)(1)(e).

³¹⁴² See Iowa Code § [907.3](#).

³¹⁴³ Iowa Code § [902.9](#)(1)(e).

³¹⁴⁴ Iowa Code § [902.9](#)(1)(e).

³¹⁴⁵ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁴⁶ Iowa Code § [911.1](#)(1).

³¹⁴⁷ Iowa Code § [911.3](#)(1).

³¹⁴⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

³¹⁴⁹ Iowa Code §§ [692A.102](#)(1)(c) (20), 713.6(3).

³¹⁵⁰ Iowa Code § [692A.110](#).

§ 713.6A—Third-Degree Burglary

§ 713.6A(1)—Third-degree burglary

Class = “D” felony³¹⁵¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³¹⁵²	0 ³¹⁵³	No, but burglary as defined in § 713.1 can be a SVO, ³¹⁵⁴ so see Enhancements	Yes ³¹⁵⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³¹⁵⁶	\$750 ³¹⁵⁷	Yes ³¹⁵⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁵⁹	No	No	No	No	Yes ³¹⁶⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁶¹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section [692A.126](#),³¹⁶²
 - If yes, the offender shall be assessed a civil penalty of \$250³¹⁶³

³¹⁵¹ Iowa Code § [713.6A](#)(1).

³¹⁵² Iowa Code § [902.9](#)(1)(e).

³¹⁵³ Iowa Code § [902.9](#)(1)(e).

³¹⁵⁴ Iowa Code § [229A.2](#)(11) (3); *see id.* § [229A.2](#)(3) (indicating the definition of sexually violent offense is the same as in § [229A.2](#)).

³¹⁵⁵ See Iowa Code § [907.3](#).

³¹⁵⁶ Iowa Code § [902.9](#)(1)(e).

³¹⁵⁷ Iowa Code § [902.9](#)(1)(e).

³¹⁵⁸ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁵⁹ Iowa Code § [911.1](#)(1).

³¹⁶⁰ Iowa Code § [911.3](#)(1).

³¹⁶¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

³¹⁶² Iowa Code §§ [692A.102](#)(1)(c) (21), [713.6A](#)(3).

³¹⁶³ Iowa Code § [692A.110](#).

§ 713.6A(2)—Involving unoccupied motor vehicle or truck, or vessel

First Offense

Class = aggravated misdemeanor³¹⁶⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³¹⁶⁵	0 ³¹⁶⁶	None	Yes ³¹⁶⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³¹⁶⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ³¹⁶⁹	\$625 ³¹⁷⁰	Yes ³¹⁷¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁷²	No	No	No	No	Yes ³¹⁷³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁷⁴	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
- Must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section [692A.126](#)”³¹⁷⁵
 - If yes, the offender shall be assessed a civil penalty of \$250³¹⁷⁶

³¹⁶⁴ Iowa Code § [713.6A](#)(2).

³¹⁶⁵ Iowa Code § [903.1](#)(2).

³¹⁶⁶ Iowa Code § [903.1](#)(2).

³¹⁶⁷ See Iowa Code § [907.3](#), unnum. para..

³¹⁶⁸ Iowa Code § [903.1](#)(2).

³¹⁶⁹ Iowa Code § [903.1](#)(2).

³¹⁷⁰ Iowa Code § [903.1](#)(2).

³¹⁷¹ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁷² Iowa Code § [911.1](#)(1).

³¹⁷³ Iowa Code § [911.3](#)(1).

³¹⁷⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

³¹⁷⁵ Iowa Code §§ [692A.102](#)(1)(c) (21), [713.6A](#)(3).

³¹⁷⁶ Iowa Code § [692A.110](#).

Second or Subsequent Offense

Class = “D” felony³¹⁷⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³¹⁷⁸	0 ³¹⁷⁹	No, but see Enhancements	Yes ³¹⁸⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ³¹⁸¹	\$750 ³¹⁸²	Yes ³¹⁸³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁸⁴	No	No	No	No	Yes ³¹⁸⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁸⁶	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section [692A.126](#)³¹⁸⁷
 - If yes, the offender shall be assessed a civil penalty of \$250³¹⁸⁸

³¹⁷⁷ Iowa Code § [713.6A](#)(2).

³¹⁷⁸ Iowa Code § [902.9](#)(1)(e).

³¹⁷⁹ Iowa Code § [902.9](#)(1)(e).

³¹⁸⁰ See Iowa Code § [907.3](#).

³¹⁸¹ Iowa Code § [902.9](#)(1)(e).

³¹⁸² Iowa Code § [902.9](#)(1)(e).

³¹⁸³ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁸⁴ Iowa Code § [911.1](#)(1).

³¹⁸⁵ Iowa Code § [911.3](#)(1).

³¹⁸⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

³¹⁸⁷ Iowa Code §§ [692A.102](#)(1)(c) (21), [713.6A](#)(3).

³¹⁸⁸ Iowa Code § [692A.110](#).

§ 713.6B—Attempted Third-Degree Burglary

§ 713.6B(1)—Attempted third-degree burglary

Class = aggravated misdemeanor³¹⁸⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³¹⁹⁰	0 ³¹⁹¹	None	Yes ³¹⁹²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³¹⁹³

Fines

Max.	Min.	Can Suspend?
\$6250 ³¹⁹⁴	\$625 ³¹⁹⁵	Yes ³¹⁹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³¹⁹⁷	No	No	No	No	Yes ³¹⁹⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³¹⁹⁹	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
- Must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section [692A.126](#)”³²⁰⁰
 - If yes, the offender shall be assessed a civil penalty of \$250³²⁰¹

³¹⁸⁹ Iowa Code § [713.6B](#)(1).

³¹⁹⁰ Iowa Code § [903.1](#)(2).

³¹⁹¹ Iowa Code § [903.1](#)(2).

³¹⁹² See Iowa Code § [907.3](#), unnum. para..

³¹⁹³ Iowa Code § [903.1](#)(2).

³¹⁹⁴ Iowa Code § [903.1](#)(2).

³¹⁹⁵ Iowa Code § [903.1](#)(2).

³¹⁹⁶ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³¹⁹⁷ Iowa Code § [911.1](#)(1).

³¹⁹⁸ Iowa Code § [911.3](#)(1).

³¹⁹⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

³²⁰⁰ Iowa Code §§ [692A.102](#)(1)(c) (22), [713.6B](#)(3).

³²⁰¹ Iowa Code § [692A.110](#).

§ 713.6B(2)—Involving unoccupied motor vehicle or truck, or vessel

First Offense

Class = serious misdemeanor³²⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³²⁰³	0 ³²⁰⁴	N/A	Yes ³²⁰⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ³²⁰⁶	\$315 ³²⁰⁷	No ³²⁰⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁰⁹	No	No	No	No	Yes ³²¹⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if must register for Sex Registry ³²¹¹	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section [692A.126](#)”³²¹²
 - If yes, the offender shall be assessed a civil penalty of \$250³²¹³

³²⁰² Iowa Code § [713.6B\(2\)](#).

³²⁰³ Iowa Code § [903.1\(1\)\(b\)](#).

³²⁰⁴ Iowa Code § [903.1\(1\)\(b\)](#).

³²⁰⁵ See Iowa Code § [907.3](#).

³²⁰⁶ Iowa Code § [903.1\(1\)\(b\)](#).

³²⁰⁷ Iowa Code § [903.1\(1\)\(b\)](#).

³²⁰⁸ Iowa Code § [903.1\(1\)](#).

³²⁰⁹ Iowa Code § [911.1\(1\)](#).

³²¹⁰ Iowa Code § [911.3\(1\)](#).

³²¹¹ Iowa Code § [81.2\(6\)](#).

³²¹² Iowa Code §§ [692A.102\(1\)\(c\)\(22\)](#), [713.6B\(3\)](#).

³²¹³ Iowa Code § [692A.110](#).

Second or Subsequent Offense

Class = aggravated misdemeanor³²¹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³²¹⁵	0 ³²¹⁶	None	Yes ³²¹⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³²¹⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ³²¹⁹	\$625 ³²²⁰	Yes ³²²¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²²²	No	No	No	No	Yes ³²²³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²²⁴	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - the fact finder makes a determination “that the offense was sexually motivated pursuant to section [692A.126](#)”³²²⁵
 - If yes, the offender shall be assessed a civil penalty of \$250³²²⁶

³²¹⁴ Iowa Code § [713.6B](#)(2).

³²¹⁵ Iowa Code § [903.1](#)(2).

³²¹⁶ Iowa Code § [903.1](#)(2).

³²¹⁷ See Iowa Code § [907.3](#), unnum. para..

³²¹⁸ Iowa Code § [903.1](#)(2).

³²¹⁹ Iowa Code § [903.1](#)(2).

³²²⁰ Iowa Code § [903.1](#)(2).

³²²¹ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³²²² Iowa Code § [911.1](#)(1).

³²²³ Iowa Code § [911.3](#)(1).

³²²⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

³²²⁵ Iowa Code §§ [692A.102](#)(1)(c) (22), [713.6B](#)(3).

³²²⁶ Iowa Code § [692A.110](#).

§ 713.7—Possession of Burglar’s Tools

Class = aggravated misdemeanor³²²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³²²⁸	0 ³²²⁹	None	Yes ³²³⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³²³¹

Fines

Max.	Min.	Can Suspend?
\$6250 ³²³²	\$625 ³²³³	Yes ³²³⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²³⁵	No	No	No	No	Yes ³²³⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²³⁷	No	No

Notes:

³²²⁷ Iowa Code § [713.7](#).

³²²⁸ Iowa Code § [903.1](#)(2).

³²²⁹ Iowa Code § [903.1](#)(2).

³²³⁰ See Iowa Code § [907.3](#), unnum. para..

³²³¹ Iowa Code § [903.1](#)(2).

³²³² Iowa Code § [903.1](#)(2).

³²³³ Iowa Code § [903.1](#)(2).

³²³⁴ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³²³⁵ Iowa Code § [911.1](#)(1).

³²³⁶ Iowa Code § [911.3](#)(1).

³²³⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

CH. 714 THEFT AND FRAUD

§ 714.2—*Theft*

§ 714.2(1)—First-degree theft

Class = “C” felony³²³⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³²³⁹	0 ³²⁴⁰	No, but see Enhancements	Yes ³²⁴¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ³²⁴²	\$1000 ³²⁴³	Yes ³²⁴⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁴⁵	No	No	No	No	Yes ³²⁴⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁴⁷	No	No

Notes:

³²³⁸ Iowa Code § [714.2\(1\)](#).

³²³⁹ Iowa Code § [902.9\(1\)\(d\)](#).

³²⁴⁰ Iowa Code § [902.9\(1\)\(d\)](#).

³²⁴¹ See Iowa Code § [907.3](#).

³²⁴² Iowa Code § [902.9\(1\)\(d\)](#).

³²⁴³ Iowa Code § [902.9\(1\)\(d\)](#).

³²⁴⁴ See Iowa Code § [902.9\(1\)\(d\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³²⁴⁵ Iowa Code § [911.1\(1\)](#).

³²⁴⁶ Iowa Code § [911.3\(1\)](#).

³²⁴⁷ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 714.2(2)—Second-degree theft

Class = “D” felony³²⁴⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³²⁴⁹	0 ³²⁵⁰	No, but see Enhancements	Yes ³²⁵¹

Fines

Max.	Min.	Can Suspend?
\$7500 ³²⁵²	\$750 ³²⁵³	Yes ³²⁵⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁵⁵	No	No	No	No	Yes ³²⁵⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁵⁷	No	No

Notes:

³²⁴⁸ Iowa Code § 714.2(2).

³²⁴⁹ Iowa Code § 902.9(1)(e).

³²⁵⁰ Iowa Code § 902.9(1)(e).

³²⁵¹ See Iowa Code § 907.3.

³²⁵² Iowa Code § 902.9(1)(e).

³²⁵³ Iowa Code § 902.9(1)(e).

³²⁵⁴ See Iowa Code § 902.9(1)(e); State v. Ayers, 590 N.W.2d 25, 31 (Iowa 1999).

³²⁵⁵ Iowa Code § 911.1(1).

³²⁵⁶ Iowa Code § 911.3(1).

³²⁵⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 714.2(3)—Third-degree theft

Class = aggravated misdemeanor³²⁵⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³²⁵⁹	0 ³²⁶⁰	None	Yes ³²⁶¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³²⁶²

Fines

Max.	Min.	Can Suspend?
\$6250 ³²⁶³	\$625 ³²⁶⁴	Yes ³²⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁶⁶	No	No	No	No	Yes ³²⁶⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³²⁶⁸	No	No

Notes:

³²⁵⁸ Iowa Code § 714.2(3).

³²⁵⁹ Iowa Code § 903.1(2).

³²⁶⁰ Iowa Code § 903.1(2).

³²⁶¹ See Iowa Code § 907.3, unnum. para..

³²⁶² Iowa Code § 903.1(2).

³²⁶³ Iowa Code § 903.1(2).

³²⁶⁴ Iowa Code § 903.1(2).

³²⁶⁵ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³²⁶⁶ Iowa Code § 911.1(1).

³²⁶⁷ Iowa Code § 911.3(1).

³²⁶⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 714.2(4)—Fourth-degree theft

Class = serious misdemeanor³²⁶⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³²⁷⁰	0 ³²⁷¹	N/A	Yes ³²⁷²

Fines

Max.	Min.	Can Suspend?
\$1875 ³²⁷³	\$315 ³²⁷⁴	No ³²⁷⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁷⁶	No	No	No	No	Yes ³²⁷⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³²⁶⁹ Iowa Code § 714.2(4).

³²⁷⁰ Iowa Code § 903.1(1)(b).

³²⁷¹ Iowa Code § 903.1(1)(b).

³²⁷² See Iowa Code § 907.3.

³²⁷³ Iowa Code § 903.1(1)(b).

³²⁷⁴ Iowa Code § 903.1(1)(b).

³²⁷⁵ Iowa Code § 903.1(1).

³²⁷⁶ Iowa Code § 911.1(1).

³²⁷⁷ Iowa Code § 911.3(1).

§ 714.2(5)—Fifth-degree theft

Class = simple misdemeanor³²⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³²⁷⁹	0 ³²⁸⁰	N/A	Yes ³²⁸¹

Fines

Max.	Min.	Can Suspend?
\$625 ³²⁸²	\$65 ³²⁸³	No ³²⁸⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³²⁸⁵	No	No	No	No	Yes ³²⁸⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
Maybe, see Notes	No	No	No

Notes:

❖ License Revocation:

- if second or subsequent violation of [714.2\(5\)](#) for theft of motor fuel from a retail dealer, may suspend for up to 30 days in lieu or in addition to fine or imprisonment³²⁸⁷

³²⁷⁸ Iowa Code § [714.2\(5\)](#).

³²⁷⁹ Iowa Code § [903.1\(1\)\(a\)](#).

³²⁸⁰ Iowa Code § [903.1\(1\)\(a\)](#).

³²⁸¹ See Iowa Code § [907.3](#).

³²⁸² Iowa Code § [903.1\(1\)\(a\)](#).

³²⁸³ Iowa Code § [903.1\(1\)\(a\)](#).

³²⁸⁴ Iowa Code § [903.1\(1\)](#).

³²⁸⁵ Iowa Code § [911.1\(1\)](#).

³²⁸⁶ Iowa Code § [911.3\(1\)](#).

³²⁸⁷ Iowa Code § [714.7D](#).

§ 714.7—Operating Vehicle Without Owner’s Consent

Class = aggravated misdemeanor³³¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³³¹³	0 ³³¹⁴	None	Yes ³³¹⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³³¹⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ³³¹⁷	\$625 ³³¹⁸	Yes ³³¹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³²⁰	No	No	No	No	Yes ³³²¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³²²	No	No

Notes:

³³¹² Iowa Code § [714.7](#).

³³¹³ Iowa Code § [903.1](#)(2).

³³¹⁴ Iowa Code § [903.1](#)(2).

³³¹⁵ See Iowa Code § [907.3](#), unnum. para..

³³¹⁶ Iowa Code § [903.1](#)(2).

³³¹⁷ Iowa Code § [903.1](#)(2).

³³¹⁸ Iowa Code § [903.1](#)(2).

³³¹⁹ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³²⁰ Iowa Code § [911.1](#)(1).

³³²¹ Iowa Code § [911.3](#)(1).

³³²² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 714.7B—Theft Detection Devices

§ 714.7B(1)—Manufacture, sale, possession, or distribution of theft detection shielding devices

Class = serious misdemeanor³³²³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³³²⁴	0 ³³²⁵	N/A	Yes ³³²⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ³³²⁷	\$315 ³³²⁸	No ³³²⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³³⁰	No	No	No	No	Yes ³³³¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³³²³ Iowa Code § [714.7B\(5\)](#).

³³²⁴ Iowa Code § [903.1\(1\)\(b\)](#).

³³²⁵ Iowa Code § [903.1\(1\)\(b\)](#).

³³²⁶ See Iowa Code § [907.3](#).

³³²⁷ Iowa Code § [903.1\(1\)\(b\)](#).

³³²⁸ Iowa Code § [903.1\(1\)\(b\)](#).

³³²⁹ Iowa Code § [903.1\(1\)](#).

³³³⁰ Iowa Code § [911.1\(1\)](#).

³³³¹ Iowa Code § [911.3\(1\)](#).

§ 714.7B(2)—Unlawful removal or attempted removal of theft detection device

Less Than \$200

Class = simple misdemeanor³³³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³³³³	0 ³³³⁴	N/A	Yes ³³³⁵

Fines

Max.	Min.	Can Suspend?
\$625 ³³³⁶	\$65 ³³³⁷	No ³³³⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³³⁹	No	No	No	No	Yes ³³⁴⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³³³² Iowa Code § [714.7B](#)(6)(a).

³³³³ Iowa Code § [903.1](#)(1)(a).

³³³⁴ Iowa Code § [903.1](#)(1)(a).

³³³⁵ See Iowa Code § [907.3](#).

³³³⁶ Iowa Code § [903.1](#)(1)(a).

³³³⁷ Iowa Code § [903.1](#)(1)(a).

³³³⁸ Iowa Code § [903.1](#)(1).

³³³⁹ Iowa Code § [911.1](#)(1).

³³⁴⁰ Iowa Code § [911.3](#)(1).

In Excess of \$200Class = serious misdemeanor³³⁴¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³³⁴²	0 ³³⁴³	N/A	Yes ³³⁴⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ³³⁴⁵	\$315 ³³⁴⁶	No ³³⁴⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁴⁸	No	No	No	No	Yes ³³⁴⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³³⁴¹ Iowa Code § [714.7B](#)(6)(b).³³⁴² Iowa Code § [903.1](#)(1)(b).³³⁴³ Iowa Code § [903.1](#)(1)(b).³³⁴⁴ See Iowa Code § [907.3](#).³³⁴⁵ Iowa Code § [903.1](#)(1)(b).³³⁴⁶ Iowa Code § [903.1](#)(1)(b).³³⁴⁷ Iowa Code § [903.1](#)(1).³³⁴⁸ Iowa Code § [911.1](#)(1).³³⁴⁹ Iowa Code § [911.3](#)(1).

§ 714.7B(3)—Possession of tool, instrument, or device with intent to use to remove theft detection deviceClass = serious misdemeanor³³⁵⁰**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³³⁵¹	0 ³³⁵²	N/A	Yes ³³⁵³

Fines

Max.	Min.	Can Suspend?
\$1875 ³³⁵⁴	\$315 ³³⁵⁵	No ³³⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁵⁷	No	No	No	No	Yes ³³⁵⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³³⁵⁰ Iowa Code § [714.7B\(5\)](#).³³⁵¹ Iowa Code § [903.1\(1\)\(b\)](#).³³⁵² Iowa Code § [903.1\(1\)\(b\)](#).³³⁵³ See Iowa Code § [907.3](#).³³⁵⁴ Iowa Code § [903.1\(1\)\(b\)](#).³³⁵⁵ Iowa Code § [903.1\(1\)\(b\)](#).³³⁵⁶ Iowa Code § [903.1\(1\)](#).³³⁵⁷ Iowa Code § [911.1\(1\)](#).³³⁵⁸ Iowa Code § [911.3\(1\)](#).

§ 714.7C—Theft of Product Containing Pseudoephedrine

Class = serious misdemeanor³³⁵⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³³⁶⁰	0 ³³⁶¹	N/A	Yes ³³⁶²

Fines

Max.	Min.	Can Suspend?
\$1875 ³³⁶³	\$315 ³³⁶⁴	No ³³⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁶⁶	No	No	No	No	Yes ³³⁶⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³³⁵⁹ Iowa Code § [714.7C](#).

³³⁶⁰ Iowa Code § [903.1](#)(1)(b).

³³⁶¹ Iowa Code § [903.1](#)(1)(b).

³³⁶² See Iowa Code § [907.3](#).

³³⁶³ Iowa Code § [903.1](#)(1)(b).

³³⁶⁴ Iowa Code § [903.1](#)(1)(b).

³³⁶⁵ Iowa Code § [903.1](#)(1).

³³⁶⁶ Iowa Code § [911.1](#)(1).

³³⁶⁷ Iowa Code § [911.3](#)(1).

§ 714.9—First-Degree Fraudulent Practice

Class = “C” felony³³⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³³⁶⁹	0 ³³⁷⁰	No, but see Enhancements	Yes ³³⁷¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ³³⁷²	\$1000 ³³⁷³	Yes ³³⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁷⁵	No	No	No	No	Yes ³³⁷⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁷⁷	No	No

Notes:

³³⁶⁸ Iowa Code § 714.9(2).

³³⁶⁹ Iowa Code § 902.9(1)(d).

³³⁷⁰ Iowa Code § 902.9(1)(d).

³³⁷¹ See Iowa Code § 907.3.

³³⁷² Iowa Code § 902.9(1)(d).

³³⁷³ Iowa Code § 902.9(1)(d).

³³⁷⁴ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³⁷⁵ Iowa Code § 911.1(1).

³³⁷⁶ Iowa Code § 911.3(1).

³³⁷⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 714.10—Second-Degree Fraudulent Practice

Class = “D” felony³³⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³³⁷⁹	0 ³³⁸⁰	No, but see Enhancements	Yes ³³⁸¹

Fines

Max.	Min.	Can Suspend?
\$7500 ³³⁸²	\$750 ³³⁸³	Yes ³³⁸⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁸⁵	No	No	No	No	Yes ³³⁸⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁸⁷	No	No

Notes:

³³⁷⁸ Iowa Code § [714.10](#)(2).

³³⁷⁹ Iowa Code § [902.9](#)(1)(e).

³³⁸⁰ Iowa Code § [902.9](#)(1)(e).

³³⁸¹ See Iowa Code § [907.3](#).

³³⁸² Iowa Code § [902.9](#)(1)(e).

³³⁸³ Iowa Code § [902.9](#)(1)(e).

³³⁸⁴ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³⁸⁵ Iowa Code § [911.1](#)(1).

³³⁸⁶ Iowa Code § [911.3](#)(1).

³³⁸⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 714.11—Third-Degree Fraudulent Practice

Class = aggravated misdemeanor³³⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³³⁸⁹	0 ³³⁹⁰	None	Yes ³³⁹¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³³⁹²

Fines

Max.	Min.	Can Suspend?
\$6250 ³³⁹³	\$625 ³³⁹⁴	Yes ³³⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³³⁹⁶	No	No	No	No	Yes ³³⁹⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³³⁹⁸	No	No

Notes:

³³⁸⁸ Iowa Code § 714.11(2).

³³⁸⁹ Iowa Code § [903.1](#)(2).

³³⁹⁰ Iowa Code § [903.1](#)(2).

³³⁹¹ See Iowa Code § [907.3](#).

³³⁹² Iowa Code § [903.1](#)(2).

³³⁹³ Iowa Code § [903.1](#)(2).

³³⁹⁴ Iowa Code § [903.1](#)(2).

³³⁹⁵ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³³⁹⁶ Iowa Code § [911.1](#)(1).

³³⁹⁷ Iowa Code § [911.3](#)(1).

³³⁹⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 714.12—Fourth-Degree Fraudulent Practices

Class = serious misdemeanor³³⁹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁴⁰⁰	0 ³⁴⁰¹	N/A	Yes ³⁴⁰²

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁴⁰³	\$315 ³⁴⁰⁴	No ³⁴⁰⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁰⁶	No	No	No	No	Yes ³⁴⁰⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³³⁹⁹ Iowa Code § [714.12](#), unnum. para. 2.

³⁴⁰⁰ Iowa Code § [903.1](#)(1)(b).

³⁴⁰¹ Iowa Code § [903.1](#)(1)(b).

³⁴⁰² See Iowa Code § [907.3](#).

³⁴⁰³ Iowa Code § [903.1](#)(1)(b).

³⁴⁰⁴ Iowa Code § [903.1](#)(1)(b).

³⁴⁰⁵ Iowa Code § [903.1](#)(1).

³⁴⁰⁶ Iowa Code § [911.1](#)(1).

³⁴⁰⁷ Iowa Code § [911.3](#)(1).

§ 714.13—Fifth-Degree Fraudulent Practices

Class = simple misdemeanor³⁴⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁴⁰⁹	0 ³⁴¹⁰	N/A	Yes ³⁴¹¹

Fines

Max.	Min.	Can Suspend?
\$625 ³⁴¹²	\$65 ³⁴¹³	No ³⁴¹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴¹⁵	No	No	No	No	Yes ³⁴¹⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁴⁰⁸ Iowa Code § [714.13](#), unnum. para. 2.

³⁴⁰⁹ Iowa Code § [903.1](#)(1)(a).

³⁴¹⁰ Iowa Code § [903.1](#)(1)(a).

³⁴¹¹ See Iowa Code § [907.3](#).

³⁴¹² Iowa Code § [903.1](#)(1)(a).

³⁴¹³ Iowa Code § [903.1](#)(1)(a).

³⁴¹⁴ Iowa Code § [903.1](#)(1).

³⁴¹⁵ Iowa Code § [911.1](#)(1).

³⁴¹⁶ Iowa Code § [911.3](#)(1).

§ 714.26—Intellectual Property Counterfeiting

§ 714.26(2)(a)—First-degree intellectual property counterfeiting

Class = “C” felony³⁴¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁴¹⁸	0 ³⁴¹⁹	No, but see Enhancements	Yes ³⁴²⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁴²¹	\$1000 ³⁴²²	Yes ³⁴²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴²⁴	No	No	No	No	Yes ³⁴²⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴²⁶	No	No

Notes:

³⁴¹⁷ Iowa Code § 714.26(2)(a)(2).

³⁴¹⁸ Iowa Code § 902.9(1)(d).

³⁴¹⁹ Iowa Code § 902.9(1)(d).

³⁴²⁰ See Iowa Code § 907.3.

³⁴²¹ Iowa Code § 902.9(1)(d).

³⁴²² Iowa Code § 902.9(1)(d).

³⁴²³ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴²⁴ Iowa Code § 911.1(1).

³⁴²⁵ Iowa Code § 911.3(1).

³⁴²⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 714.26(2)(b)—Second-degree intellectual property counterfeiting

Class = “D” felony³⁴²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁴²⁸	0 ³⁴²⁹	No, but see Enhancements	Yes ³⁴³⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁴³¹	\$750 ³⁴³²	Yes ³⁴³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴³⁴	No	No	No	No	Yes ³⁴³⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴³⁶	No	No

Notes:

³⁴²⁷ Iowa Code § 714.26(2)(b)(2).

³⁴²⁸ Iowa Code § 902.9(1)(e).

³⁴²⁹ Iowa Code § 902.9(1)(e).

³⁴³⁰ See Iowa Code § 907.3 ; see also id. § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).

³⁴³¹ Iowa Code § 902.9(1)(e).

³⁴³² Iowa Code § 902.9(1)(e).

³⁴³³ See Iowa Code § 902.9(1)(e); State v. Ayers, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴³⁴ Iowa Code § 911.1(1).

³⁴³⁵ Iowa Code § 911.3(1).

³⁴³⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 714.26(2)(c)—Third-degree intellectual property counterfeiting

Class = aggravated misdemeanor³⁴³⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁴³⁸	0 ³⁴³⁹	None	Yes ³⁴⁴⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁴⁴¹

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁴⁴²	\$625 ³⁴⁴³	Yes ³⁴⁴⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁴⁵	No	No	No	No	Yes ³⁴⁴⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁴⁷	No	No

Notes:

³⁴³⁷ Iowa Code § [714.26](#)(2)(c).

³⁴³⁸ Iowa Code § [903.1](#)(2).

³⁴³⁹ Iowa Code § [903.1](#)(2).

³⁴⁴⁰ See Iowa Code § [907.3](#).

³⁴⁴¹ Iowa Code § [903.1](#)(2).

³⁴⁴² Iowa Code § [903.1](#)(2).

³⁴⁴³ Iowa Code § [903.1](#)(2).

³⁴⁴⁴ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴⁴⁵ Iowa Code § [911.1](#)(1).

³⁴⁴⁶ Iowa Code § [911.3](#)(1).

³⁴⁴⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

CH. 715A FORGERY AND RELATED OFFENSES

§ 715A.2—*Forgery*

§ 715A.2(2)(a)—*Forgery involving money*

Class = “D” felony³⁴⁴⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁴⁴⁹	0 ³⁴⁵⁰	No, but see Enhancements	Yes ³⁴⁵¹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁴⁵²	\$750 ³⁴⁵³	Yes ³⁴⁵⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁵⁵	No	No	No	No	Yes, \$125 ³⁴⁵⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁵⁷	No	No

Notes:

³⁴⁴⁸ Iowa Code § [715A.2\(2\)\(a\)](#).

³⁴⁴⁹ Iowa Code § [902.9\(1\)\(e\)](#).

³⁴⁵⁰ Iowa Code § [902.9\(1\)\(e\)](#).

³⁴⁵¹ See Iowa Code § [907.3](#).

³⁴⁵² Iowa Code § [902.9\(1\)\(e\)](#).

³⁴⁵³ Iowa Code § [902.9\(1\)\(e\)](#).

³⁴⁵⁴ See Iowa Code § [902.9\(1\)\(e\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴⁵⁵ Iowa Code § [911.1\(1\)](#).

³⁴⁵⁶ Iowa Code § [911.3\(1\)](#).

³⁴⁵⁷ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 715A.2(2)(b)—Forgery involving legal relationship

Class = aggravated misdemeanor³⁴⁵⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁴⁵⁹	0 ³⁴⁶⁰	None	Yes ³⁴⁶¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁴⁶²

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁴⁶³	\$625 ³⁴⁶⁴	Yes ³⁴⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁶⁶	No	No	No	No	Yes, \$125 ³⁴⁶⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁶⁸	No	No

Notes:

³⁴⁵⁸ Iowa Code § [715A.2](#)(2)(b).

³⁴⁵⁹ Iowa Code § [903.1](#)(2).

³⁴⁶⁰ Iowa Code § [902.9](#)(1)(e).

³⁴⁶¹ See Iowa Code § [907.3](#).

³⁴⁶² Iowa Code § [903.1](#)(2).

³⁴⁶³ Iowa Code § [903.1](#)(2).

³⁴⁶⁴ Iowa Code § [903.1](#)(2).

³⁴⁶⁵ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴⁶⁶ Iowa Code § [911.1](#)(1).

³⁴⁶⁷ Iowa Code § [911.3](#)(1).

³⁴⁶⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 715A.6—Credit Cards

§ 715A.6(2)(a)—Credit card fraud exceeding \$10,000

Class = “C” felony³⁴⁶⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁴⁷⁰	0 ³⁴⁷¹	No, but see Enhancements	Yes ³⁴⁷²

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁴⁷³	\$1000 ³⁴⁷⁴	Yes ³⁴⁷⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁷⁶	No	No	No	No	Yes, \$125 ³⁴⁷⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁷⁸	No	No

Notes:

³⁴⁶⁹ Iowa Code § 715A.6(2)(a).

³⁴⁷⁰ Iowa Code § 902.9(1)(d).

³⁴⁷¹ Iowa Code § 902.9(1)(d).

³⁴⁷² See Iowa Code § 907.3.

³⁴⁷³ Iowa Code § 902.9(1)(d).

³⁴⁷⁴ Iowa Code § 902.9(1)(d).

³⁴⁷⁵ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴⁷⁶ Iowa Code § 911.1(1).

³⁴⁷⁷ Iowa Code § 911.3(1).

³⁴⁷⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 715A.6(2)(b)—Credit card fraud exceeding \$1000 but less than \$10,000

Class = “D” felony³⁴⁷⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁴⁸⁰	0 ³⁴⁸¹	No, but see enhancements	Yes ³⁴⁸²

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁴⁸³	\$750 ³⁴⁸⁴	Yes ³⁴⁸⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁸⁶	No	No	No	No	Yes, \$125 ³⁴⁸⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁴⁸⁸	No	No

Notes:

³⁴⁷⁹ Iowa Code § 715A.6(2)(b).

³⁴⁸⁰ Iowa Code § 902.9(1)(e).

³⁴⁸¹ Iowa Code § 902.9(1)(e).

³⁴⁸² See Iowa Code § 907.3.

³⁴⁸³ Iowa Code § 902.9(1)(e).

³⁴⁸⁴ Iowa Code § 902.9(1)(e).

³⁴⁸⁵ See Iowa Code § 902.9(1)(e); State v. Ayers, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴⁸⁶ Iowa Code § 911.1(1).

³⁴⁸⁷ Iowa Code § 911.3(1).

³⁴⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 715A.6(2)(c)—Credit card fraud less than \$1000

Class = aggravated misdemeanor³⁴⁸⁹³⁴⁹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁴⁹¹	0 ³⁴⁹²	None	Yes ³⁴⁹³

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁴⁹⁴

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁴⁹⁵	\$625 ³⁴⁹⁶	Yes ³⁴⁹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁴⁹⁸	No	No	No	No	Yes, \$125 ³⁴⁹⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁰⁰	No	No

Notes:

³⁴⁸⁹ Iowa Code § [715A.2](#)(2)(b).

³⁴⁹⁰ Iowa Code § [715A.6](#)(2).

³⁴⁹¹ Iowa Code § [903.1](#)(2).

³⁴⁹² Iowa Code § [902.9](#)(1)(e).

³⁴⁹³ See Iowa Code § [907.3](#).

³⁴⁹⁴ Iowa Code § [903.1](#)(2).

³⁴⁹⁵ Iowa Code § [903.1](#)(2).

³⁴⁹⁶ Iowa Code § [903.1](#)(2).

³⁴⁹⁷ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁴⁹⁸ Iowa Code § [911.1](#)(1).

³⁴⁹⁹ Iowa Code § [911.3](#)(1).

³⁵⁰⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 715A.8—Identity Theft

§ 715A.8(3)(a)—In excess of \$10,000

Class = “C” felony³⁵⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁵⁰²	0 ³⁵⁰³	No, but see Enhancements	Yes ³⁵⁰⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁵⁰⁵	\$1000 ³⁵⁰⁶	Yes ³⁵⁰⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁰⁸	No	No	No	No	Yes, \$125 ³⁵⁰⁹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵¹⁰	No	No

Notes:

- ❖ Property obtained in violation of § [715A.8](#) may be subject to forfeiture³⁵¹¹

³⁵⁰¹ Iowa Code § [715A.8](#)(3)(a).

³⁵⁰² Iowa Code § [902.9](#)(1)(d).

³⁵⁰³ Iowa Code § [902.9](#)(1)(d).

³⁵⁰⁴ See Iowa Code § [907.3](#).

³⁵⁰⁵ Iowa Code § [902.9](#)(1)(d).

³⁵⁰⁶ Iowa Code § [902.9](#)(1)(d).

³⁵⁰⁷ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁰⁸ Iowa Code § [911.1](#)(1).

³⁵⁰⁹ Iowa Code § [911.3](#)(1).

³⁵¹⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

³⁵¹¹ Iowa Code § [715A.8](#)(6).

§ 715A.8(3)(b)—In excess of \$1000 but not more than \$10,000Class = “D” felony³⁵¹²**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁵¹³	0 ³⁵¹⁴	No, but see Enhancements	Yes ³⁵¹⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁵¹⁶	\$750 ³⁵¹⁷	Yes ³⁵¹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵¹⁹	No	No	No	No	Yes, \$125 ³⁵²⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵²¹	No	No

Notes:

- ❖ Property obtained in violation of § [715A.8](#) may be subject to forfeiture³⁵²²

³⁵¹² Iowa Code § [715A.8](#)(3)(b).

³⁵¹³ Iowa Code § [902.9](#)(1)(e).

³⁵¹⁴ Iowa Code § [902.9](#)(1)(e).

³⁵¹⁵ See Iowa Code § [907.3](#).

³⁵¹⁶ Iowa Code § [902.9](#)(1)(e).

³⁵¹⁷ Iowa Code § [902.9](#)(1)(e).

³⁵¹⁸ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵¹⁹ Iowa Code § [911.1](#)(1).

³⁵²⁰ Iowa Code § [911.3](#)(1).

³⁵²¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

³⁵²² Iowa Code § [715A.8](#)(6).

§ 715A.8(3)(c)—Not in excess of \$1000

Class = aggravated misdemeanor³⁵²³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵²⁴	0 ³⁵²⁵	None	Yes ³⁵²⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁵²⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁵²⁸	\$625 ³⁵²⁹	Yes ³⁵³⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵³¹	No	No	No	No	Yes, \$125 ³⁵³²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵³³	No	No

Notes:

❖ Property obtained in violation of § [715A.8](#) may be subject to forfeiture³⁵³⁴

³⁵²³ Iowa Code § [715A.8](#)(3)(c).

³⁵²⁴ Iowa Code § [903.1](#)(2).

³⁵²⁵ Iowa Code § [903.1](#)(2).

³⁵²⁶ See Iowa Code § [907.3](#).

³⁵²⁷ Iowa Code § [903.1](#)(2).

³⁵²⁸ Iowa Code § [903.1](#)(2).

³⁵²⁹ Iowa Code § [903.1](#)(2).

³⁵³⁰ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵³¹ Iowa Code § [911.1](#)(1).

³⁵³² Iowa Code § [911.3](#)(1).

³⁵³³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

³⁵³⁴ Iowa Code § [715A.8](#)(6).

§ 715A.10—Illegal Use of Scanning Device or Encoding Machine³⁵³⁵

§ 715A.10(1)—Illegal use

Class = “D” felony³⁵³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁵³⁷	0 ³⁵³⁸	No, but see Enhancements	Yes ³⁵³⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁵⁴⁰	\$750 ³⁵⁴¹	Yes ³⁵⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁴³	No	No	No	No	Yes, \$125 ³⁵⁴⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁴⁵	No	No

Notes:

³⁵³⁵ Iowa Code § [715A.10](#) (amended by 2018 Iowa Acts ch. 1011, § 1 to expand the scope of the offense, effective 7/1/2018).

³⁵³⁶ Iowa Code § [715A.10](#)(1) (amended by 2018 Iowa Acts ch. 1011, § 1 to eliminate the “intent to defraud” element from previous versions).

³⁵³⁷ Iowa Code § [902.9](#)(1)(e).

³⁵³⁸ Iowa Code § [902.9](#)(1)(e).

³⁵³⁹ See Iowa Code § [907.3](#).

³⁵⁴⁰ Iowa Code § [902.9](#)(1)(e).

³⁵⁴¹ Iowa Code § [902.9](#)(1)(e).

³⁵⁴² See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁴³ Iowa Code § [911.1](#)(1).

³⁵⁴⁴ Iowa Code § [911.3](#)(1).

³⁵⁴⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 715A.10(1A)—Possesses scanning device with intent

Class = aggravated misdemeanor³⁵⁴⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵⁴⁷	0 ³⁵⁴⁸	None	Yes ³⁵⁴⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁵⁵⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁵⁵¹	\$625 ³⁵⁵²	Yes ³⁵⁵³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁵⁴	No	No	No	No	Yes ³⁵⁵⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁵⁶	No	No

Notes:

³⁵⁴⁶ Iowa Code § [715A.10\(1A\)](#) (new subsection added by 2018 Iowa Acts ch. 1011, § 1 to create new aggravated misdemeanor offense for “possess[ing] a scanning device with the intent to use such device to obtain information encoded on a payment card” without permission, effective 7/1/2018).

³⁵⁴⁷ Iowa Code § [903.1\(2\)](#).

³⁵⁴⁸ Iowa Code § [903.1\(2\)](#).

³⁵⁴⁹ See Iowa Code § [907.3](#), unnum. para..

³⁵⁵⁰ Iowa Code § [903.1\(2\)](#).

³⁵⁵¹ Iowa Code § [903.1\(2\)](#).

³⁵⁵² Iowa Code § [903.1\(2\)](#).

³⁵⁵³ See Iowa Code § [903.1\(2\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁵⁴ Iowa Code § [911.1\(1\)](#).

³⁵⁵⁵ Iowa Code § [911.3\(1\)](#).

³⁵⁵⁶ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 715A.10(2)—Second or subsequent offense

Class = “C” felony³⁵⁵⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁵⁵⁸	0 ³⁵⁵⁹	No, but see Enhancements	Yes ³⁵⁶⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁵⁶¹	\$1000 ³⁵⁶²	Yes ³⁵⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁶⁴	No	No	No	No	Yes, \$125 ³⁵⁶⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁶⁶	No	No

Notes:

³⁵⁵⁷ Iowa Code § 715A.10(2).

³⁵⁵⁸ Iowa Code § 902.9(1)(d).

³⁵⁵⁹ Iowa Code § 902.9(1)(d).

³⁵⁶⁰ See Iowa Code § 907.3.

³⁵⁶¹ Iowa Code § 902.9(1)(d).

³⁵⁶² Iowa Code § 902.9(1)(d).

³⁵⁶³ See Iowa Code § 902.9(1)(d); State v. Ayers, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁶⁴ Iowa Code § 911.1(1).

³⁵⁶⁵ Iowa Code § 911.3(1).

³⁵⁶⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 715B PROTECTION OF BUYERS OF FINE ART AND VISUAL ART MULTIPLES

§ 715B.3—*Falsifying Certificates of Authenticity or False Representation*

Class = aggravated misdemeanor³⁵⁶⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵⁶⁸	0 ³⁵⁶⁹	None	Yes ³⁵⁷⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁵⁷¹

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁵⁷²	\$625 ³⁵⁷³	Yes ³⁵⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁷⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁷⁶	No	No

Notes:

³⁵⁶⁷ Iowa Code § [715B.3](#).

³⁵⁶⁸ Iowa Code § [903.1\(2\)](#).

³⁵⁶⁹ Iowa Code § [903.1\(2\)](#).

³⁵⁷⁰ See Iowa Code § [907.3](#).

³⁵⁷¹ Iowa Code § [903.1\(2\)](#).

³⁵⁷² Iowa Code § [903.1\(2\)](#).

³⁵⁷³ Iowa Code § [903.1\(2\)](#).

³⁵⁷⁴ See Iowa Code § [903.1\(2\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁷⁵ Iowa Code § [911.1\(1\)](#).

³⁵⁷⁶ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

CH. 716 DAMAGE AND TRESPASS TO REAL PROPERTY

§ 716.3—First-Degree Criminal Mischief

Class = “C” felony³⁵⁷⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁵⁷⁸	0 ³⁵⁷⁹	No, but see Enhancements	Yes ³⁵⁸⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁵⁸¹	\$1000 ³⁵⁸²	Yes ³⁵⁸³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁸⁴	No	No	No	No	Yes ³⁵⁸⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁸⁶	No	No

Notes:

³⁵⁷⁷ Iowa Code § 716.3(2).

³⁵⁷⁸ Iowa Code § 902.9(1)(d).

³⁵⁷⁹ Iowa Code § 902.9(1)(d).

³⁵⁸⁰ See Iowa Code § 907.3.

³⁵⁸¹ Iowa Code § 902.9(1)(d).

³⁵⁸² Iowa Code § 902.9(1)(d).

³⁵⁸³ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁸⁴ Iowa Code § 911.1(1).

³⁵⁸⁵ Iowa Code § 911.3(1).

³⁵⁸⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.4—Second-Degree Criminal Mischief

Class = “D” felony³⁵⁸⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁵⁸⁸	0 ³⁵⁸⁹	No, but see Enhancements	Yes ³⁵⁹⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁵⁹¹	\$750 ³⁵⁹²	Yes ³⁵⁹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁵⁹⁴	No	No	No	No	Yes ³⁵⁹⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁵⁹⁶	No	No

Notes:

³⁵⁸⁷ Iowa Code § 716.4(2).

³⁵⁸⁸ Iowa Code § 902.9(1)(e).

³⁵⁸⁹ Iowa Code § 902.9(1)(e).

³⁵⁹⁰ See Iowa Code § 907.3.

³⁵⁹¹ Iowa Code § 902.9(1)(e).

³⁵⁹² Iowa Code § 902.9(1)(e).

³⁵⁹³ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁵⁹⁴ Iowa Code § 911.1(1).

³⁵⁹⁵ Iowa Code § 911.3(1).

³⁵⁹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.5—Third-Degree Criminal Mischief

Class = aggravated misdemeanor³⁵⁹⁷

- ❖ If violation of § [716.5](#) is also a hate crime, offense is classified and punished as a “D” felony³⁵⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁵⁹⁹	0 ³⁶⁰⁰	None	Yes ³⁶⁰¹

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁶⁰²

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁶⁰³	\$625 ³⁶⁰⁴	Yes ³⁶⁰⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁰⁶	No	No	No	No	Yes ³⁶⁰⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁰⁸	No	No

Notes:

³⁵⁹⁷ Iowa Code § [716.5](#)(2) (amended by 2018 Iowa Acts ch. 1011, § 2 to expand the offense to include property as defined in Iowa Code § [715A.10](#), effective 7/1/2018).

³⁵⁹⁸ See Iowa Code § [716.6A](#).

³⁵⁹⁹ Iowa Code § [903.1](#)(2).

³⁶⁰⁰ Iowa Code § [903.1](#)(2).

³⁶⁰¹ See Iowa Code § [907.3](#), unnum. para..

³⁶⁰² Iowa Code § [903.1](#)(2).

³⁶⁰³ Iowa Code § [903.1](#)(2).

³⁶⁰⁴ Iowa Code § [903.1](#)(2).

³⁶⁰⁵ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁶⁰⁶ Iowa Code § [911.1](#)(1).

³⁶⁰⁷ Iowa Code § [911.3](#)(1).

³⁶⁰⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 716.6—Fourth- and Fifth-Degree Criminal Mischief

§ 716.6(1)—Fourth-degree criminal mischief

Class = serious misdemeanor³⁶⁰⁹

❖ If violation of § 716.6(1) is also a hate crime, offense is classified and punished as an aggravated misdemeanor³⁶¹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁶¹¹	0 ³⁶¹²	N/A	Yes ³⁶¹³

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁶¹⁴	\$315 ³⁶¹⁵	No ³⁶¹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶¹⁷	No	No	No	No	Yes ³⁶¹⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁶⁰⁹ Iowa Code § 716.6(1)(b).

³⁶¹⁰ See Iowa Code § 716.6A.

³⁶¹¹ Iowa Code § 903.1(1)(b).

³⁶¹² Iowa Code § 903.1(1)(b).

³⁶¹³ See Iowa Code § 907.3.

³⁶¹⁴ Iowa Code § 903.1(1)(b).

³⁶¹⁵ Iowa Code § 903.1(1)(b).

³⁶¹⁶ Iowa Code § 903.1(1).

³⁶¹⁷ Iowa Code § 911.1(1).

³⁶¹⁸ Iowa Code § 911.3(1).

§ 716.6(2)—Fifth-degree criminal mischief

Class = simple misdemeanor³⁶¹⁹

- ❖ If violation of § 716.6(2) is also a hate crime, offense is classified and punished as a serious misdemeanor³⁶²⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁶²¹	0 ³⁶²²	N/A	Yes ³⁶²³

Fines

Max.	Min.	Can Suspend?
\$625 ³⁶²⁴	\$65 ³⁶²⁵	No ³⁶²⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶²⁷	No	No	No	No	Yes ³⁶²⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁶¹⁹ Iowa Code § 716.6(2).

³⁶²⁰ See Iowa Code § 716.6A.

³⁶²¹ Iowa Code § 903.1(1)(a).

³⁶²² Iowa Code § 903.1(1)(a).

³⁶²³ See Iowa Code § 907.3.

³⁶²⁴ Iowa Code § 903.1(1)(a).

³⁶²⁵ Iowa Code § 903.1(1)(a).

³⁶²⁶ Iowa Code § 903.1(1).

³⁶²⁷ Iowa Code § 911.1(1).

³⁶²⁸ Iowa Code § 911.3(1).

§ 716.6B—Unauthorized Computer Access

§ 716.6B(1)(a)—Unauthorized access of certain confidential information

Class = aggravated misdemeanor³⁶²⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁶³⁰	0 ³⁶³¹	None	Yes ³⁶³²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁶³³

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁶³⁴	\$625 ³⁶³⁵	Yes ³⁶³⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶³⁷	No	No	No	No	Yes ³⁶³⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶³⁹	No	No

Notes:

³⁶²⁹ Iowa Code § [716.6B\(1\)\(a\)](#).

³⁶³⁰ Iowa Code § [903.1\(2\)](#).

³⁶³¹ Iowa Code § [903.1\(2\)](#).

³⁶³² See Iowa Code § [907.3](#), unnum. para..

³⁶³³ Iowa Code § [903.1\(2\)](#).

³⁶³⁴ Iowa Code § [903.1\(2\)](#).

³⁶³⁵ Iowa Code § [903.1\(2\)](#).

³⁶³⁶ See Iowa Code § [903.1\(2\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁶³⁷ Iowa Code § [911.1\(1\)](#).

³⁶³⁸ Iowa Code § [911.3\(1\)](#).

³⁶³⁹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 716.6B(1)(b)—Copying, altering, or deleting computer data

Class = serious misdemeanor³⁶⁴⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁶⁴¹	0 ³⁶⁴²	N/A	Yes ³⁶⁴³

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁶⁴⁴	\$315 ³⁶⁴⁵	No ³⁶⁴⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁴⁷	No	No	No	No	Yes ³⁶⁴⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁶⁴⁰ Iowa Code § [716.6A](#)(1)(b).

³⁶⁴¹ Iowa Code § [903.1](#)(1)(b).

³⁶⁴² Iowa Code § [903.1](#)(1)(b).

³⁶⁴³ See Iowa Code § [907.3](#).

³⁶⁴⁴ Iowa Code § [903.1](#)(1)(b).

³⁶⁴⁵ Iowa Code § [903.1](#)(1)(b).

³⁶⁴⁶ Iowa Code § [903.1](#)(1).

³⁶⁴⁷ Iowa Code § [911.1](#)(1).

³⁶⁴⁸ Iowa Code § [911.3](#)(1).

§ 716.6B(1)(c)—Any other unauthorized access

Class = simple misdemeanor³⁶⁴⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁶⁵⁰	0 ³⁶⁵¹	N/A	Yes ³⁶⁵²

Fines

Max.	Min.	Can Suspend?
\$625 ³⁶⁵³	\$65 ³⁶⁵⁴	No ³⁶⁵⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁵⁶	No	No	No	No	Yes ³⁶⁵⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁶⁴⁹ Iowa Code § [716.6A](#)(1)(a).

³⁶⁵⁰ Iowa Code § [903.1](#)(1)(a).

³⁶⁵¹ Iowa Code § [903.1](#)(1)(a).

³⁶⁵² See Iowa Code § [907.3](#).

³⁶⁵³ Iowa Code § [903.1](#)(1)(a).

³⁶⁵⁴ Iowa Code § [903.1](#)(1)(a).

³⁶⁵⁵ Iowa Code § [903.1](#)(1).

³⁶⁵⁶ Iowa Code § [911.1](#)(1).

³⁶⁵⁷ Iowa Code § [911.3](#)(1).

§ 716.8—Trespass

§ 716.8(1)—Trespass on property of another

Class = simple misdemeanor³⁶⁵⁸ punishable as a scheduled violation per Iowa Code section 805.8C(11).

³⁶⁵⁸ Iowa Code § [716.8\(1\)](#).

§ 716.8(2)—Trespass resulting in injury to any person or damage of more than \$200

Class = serious misdemeanor³⁶⁵⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁶⁶⁰	0 ³⁶⁶¹	N/A	Yes ³⁶⁶²

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁶⁶³	\$315 ³⁶⁶⁴	No ³⁶⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁶⁶	No	No	No	No	Yes ³⁶⁶⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁶⁵⁹ Iowa Code § 716.8(2).

³⁶⁶⁰ Iowa Code § 903.1(1)(b).

³⁶⁶¹ Iowa Code § 903.1(1)(b).

³⁶⁶² See Iowa Code § 907.3.

³⁶⁶³ Iowa Code § 903.1(1)(b).

³⁶⁶⁴ Iowa Code § 903.1(1)(b).

³⁶⁶⁵ Iowa Code § 903.1(1).

³⁶⁶⁶ Iowa Code § 911.1(1).

³⁶⁶⁷ Iowa Code § 911.3(1).

§ 716.8(3)—Trespass with intent to commit a hate crime

Class = serious misdemeanor³⁶⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁶⁶⁹	0 ³⁶⁷⁰	N/A	Yes ³⁶⁷¹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁶⁷²	\$315 ³⁶⁷³	No ³⁶⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁷⁵	No	No	No	No	Yes ³⁶⁷⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁶⁶⁸ Iowa Code § 716.8(3).

³⁶⁶⁹ Iowa Code § 903.1(1)(b).

³⁶⁷⁰ Iowa Code § 903.1(1)(b).

³⁶⁷¹ See Iowa Code § 907.3.

³⁶⁷² Iowa Code § 903.1(1)(b).

³⁶⁷³ Iowa Code § 903.1(1)(b).

³⁶⁷⁴ Iowa Code § 903.1(1).

³⁶⁷⁵ Iowa Code § 911.1(1).

³⁶⁷⁶ Iowa Code § 911.3(1).

§ 716.8(4)—Trespass with intent to commit a hate crime that results in injury to any person or damage or more than \$200

Class = aggravated misdemeanor³⁶⁷⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁶⁷⁸	0 ³⁶⁷⁹	None	Yes ³⁶⁸⁰

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁶⁸¹

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁶⁸²	\$625 ³⁶⁸³	Yes ³⁶⁸⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁸⁵	No	No	No	No	Yes ³⁶⁸⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁸⁷	No	No

Notes:

³⁶⁷⁷ Iowa Code § 716.8(4).

³⁶⁷⁸ Iowa Code § 903.1(2).

³⁶⁷⁹ Iowa Code § 903.1(2).

³⁶⁸⁰ See Iowa Code § 907.3, unnum. para..

³⁶⁸¹ Iowa Code § 903.1(2).

³⁶⁸² Iowa Code § 903.1(2).

³⁶⁸³ Iowa Code § 903.1(2).

³⁶⁸⁴ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁶⁸⁵ Iowa Code § 911.1(1).

³⁶⁸⁶ Iowa Code § 911.3(1).

³⁶⁸⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.8(5)—Trespass while hunting deer

Class = simple misdemeanor³⁶⁸⁸ punishable as a scheduled violation per Iowa Code section 805.8C(11).

³⁶⁸⁸ Iowa Code § [716.8\(5\)](#).

§ 716.8(6)—Trespass as defined in § 716.7(2)(a)(6)

Class = “D” felony³⁶⁸⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁶⁹⁰	0 ³⁶⁹¹	No, but see Enhancements	Yes ³⁶⁹²

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁶⁹³	\$750 ³⁶⁹⁴	Yes ³⁶⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁶⁹⁶	No	No	No	No	Yes ³⁶⁹⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁶⁹⁸	No	No

Notes:

³⁶⁸⁹ Iowa Code § 716.8(6).

³⁶⁹⁰ Iowa Code § 902.9(1)(e).

³⁶⁹¹ Iowa Code § 902.9(1)(e).

³⁶⁹² See Iowa Code § 907.3.

³⁶⁹³ Iowa Code § 902.9(1)(e).

³⁶⁹⁴ Iowa Code § 902.9(1)(e).

³⁶⁹⁵ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁶⁹⁶ Iowa Code § 911.1(1).

³⁶⁹⁷ Iowa Code § 911.3(1).

³⁶⁹⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.8(7)—Trespass as defined in § 716.7(2)(a)(7)Class = serious misdemeanor³⁶⁹⁹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁷⁰⁰	0 ³⁷⁰¹	N/A	Yes ³⁷⁰²

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁷⁰³	\$315 ³⁷⁰⁴	No ³⁷⁰⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁰⁶	No	No	No	No	Yes ³⁷⁰⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:³⁶⁹⁹ Iowa Code § 716.8(7).³⁷⁰⁰ Iowa Code § 903.1(1)(b).³⁷⁰¹ Iowa Code § 903.1(1)(b).³⁷⁰² See Iowa Code § 907.3.³⁷⁰³ Iowa Code § 903.1(1)(b).³⁷⁰⁴ Iowa Code § 903.1(1)(b).³⁷⁰⁵ Iowa Code § 903.1(1).³⁷⁰⁶ Iowa Code § 911.1(1).³⁷⁰⁷ Iowa Code § 911.3(1).

§ 716.9—Stowing Away

Class = simple misdemeanor³⁷⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁷⁰⁹	0 ³⁷¹⁰	N/A	Yes ³⁷¹¹

Fines

Max.	Min.	Can Suspend?
\$625 ³⁷¹²	\$65 ³⁷¹³	No ³⁷¹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷¹⁵	No	No	No	No	Yes ³⁷¹⁶

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁷⁰⁸ Iowa Code § [716.9](#).

³⁷⁰⁹ Iowa Code § [903.1](#)(1)(a).

³⁷¹⁰ Iowa Code § [903.1](#)(1)(a).

³⁷¹¹ See Iowa Code § [907.3](#).

³⁷¹² Iowa Code § [903.1](#)(1)(a).

³⁷¹³ Iowa Code § [903.1](#)(1)(a).

³⁷¹⁴ Iowa Code § [903.1](#)(1).

³⁷¹⁵ Iowa Code § [911.1](#)(1).

³⁷¹⁶ Iowa Code § [911.3](#)(1).

§ 716.10—Railroad Vandalism

§ 716.10(2)(a)—First-degree railroad vandalism

Class = “B” felony³⁷¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ³⁷¹⁸	0 ³⁷¹⁹	No, but see Enhancements	Yes ³⁷²⁰

Fines

Max.	Min.	Can Suspend?
0 ³⁷²¹	0 ³⁷²²	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	Yes, \$125 ³⁷²³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷²⁴	No	No

Notes:

³⁷¹⁷ Iowa Code § 716.10(2)(a).

³⁷¹⁸ Iowa Code § 716.10(2)(a).

³⁷¹⁹ Iowa Code § 902.9(1)(b).

³⁷²⁰ See Iowa Code § 907.3.

³⁷²¹ See Iowa Code § 902.9(1)(b).

³⁷²² See Iowa Code § 902.9(1)(b).

³⁷²³ Iowa Code § 911.3(1)(a).

³⁷²⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.10(2)(b)—Second-degree railroad vandalism

Class = “B” felony³⁷²⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ³⁷²⁶	0 ³⁷²⁷	No, but see Enhancements	Yes ³⁷²⁸

Fines

Max.	Min.	Can Suspend?
0 ³⁷²⁹	0 ³⁷³⁰	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	Yes, \$125 ³⁷³¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷³²	No	No

Notes:

³⁷²⁵ Iowa Code § 716.10(2)(b).

³⁷²⁶ Iowa Code § 902.9(1)(b).

³⁷²⁷ Iowa Code § 902.9(1)(b).

³⁷²⁸ See Iowa Code § 907.3.

³⁷²⁹ See Iowa Code § 902.9(1)(b).

³⁷³⁰ See Iowa Code § 902.9(1)(b).

³⁷³¹ Iowa Code § 911.3(1)(a).

³⁷³² Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.10(2)(c)—Third-degree railroad vandalism

Class = “C” felony³⁷³³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁷³⁴	0 ³⁷³⁵	No, but see Enhancements	Yes ³⁷³⁶

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁷³⁷	\$1000 ³⁷³⁸	Yes ³⁷³⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁴⁰	No	No	No	No	Yes ³⁷⁴¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁴²	No	No

Notes:

³⁷³³ Iowa Code § [716.10](#)(2)(c).

³⁷³⁴ Iowa Code § [902.9](#)(1)(d).

³⁷³⁵ Iowa Code § [902.9](#)(1)(d).

³⁷³⁶ See Iowa Code § [907.3](#).

³⁷³⁷ Iowa Code § [902.9](#)(1)(d).

³⁷³⁸ Iowa Code § [902.9](#)(1)(d).

³⁷³⁹ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁷⁴⁰ Iowa Code § [911.1](#)(1).

³⁷⁴¹ Iowa Code § [911.3](#)(1).

³⁷⁴² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 716.10(2)(d)—Fourth-degree railroad vandalism

Class = “D” felony³⁷⁴³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁷⁴⁴	0 ³⁷⁴⁵	No, but see Enhancements	Yes ³⁷⁴⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁷⁴⁷	\$750 ³⁷⁴⁸	Yes ³⁷⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁵⁰	No	No	No	No	Yes ³⁷⁵¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁵²	No	No

Notes:

³⁷⁴³ Iowa Code § [716.10](#)(2)(d).

³⁷⁴⁴ Iowa Code § [902.9](#)(1)(e).

³⁷⁴⁵ Iowa Code § [902.9](#)(1)(e).

³⁷⁴⁶ See Iowa Code § [907.3](#).

³⁷⁴⁷ Iowa Code § [902.9](#)(1)(e).

³⁷⁴⁸ Iowa Code § [902.9](#)(1)(e).

³⁷⁴⁹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁷⁵⁰ Iowa Code § [911.1](#)(1).

³⁷⁵¹ Iowa Code § [911.3](#)(1).

³⁷⁵² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 716.10(2)(e)—Fifth-degree railroad vandalism

Class = aggravated misdemeanor³⁷⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁷⁵⁴	0 ³⁷⁵⁵	None	Yes ³⁷⁵⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁷⁵⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁷⁵⁸	\$625 ³⁷⁵⁹	Yes ³⁷⁶⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁶¹	No	No	No	No	Yes ³⁷⁶²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁶³	No	No

Notes:

³⁷⁵³ Iowa Code § 716.5(2).

³⁷⁵⁴ Iowa Code § 903.1(2).

³⁷⁵⁵ Iowa Code § 903.1(2).

³⁷⁵⁶ See Iowa Code § 907.3, unnum. para..

³⁷⁵⁷ Iowa Code § 903.1(2).

³⁷⁵⁸ Iowa Code § 903.1(2).

³⁷⁵⁹ Iowa Code § 903.1(2).

³⁷⁶⁰ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁷⁶¹ Iowa Code § 911.1(1).

³⁷⁶² Iowa Code § 911.3(1).

³⁷⁶³ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 716.10(2)(f)—Sixth-degree railroad vandalism

Class = serious misdemeanor³⁷⁶⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁷⁶⁵	0 ³⁷⁶⁶	N/A	Yes ³⁷⁶⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁷⁶⁸	\$315 ³⁷⁶⁹	No ³⁷⁷⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁷¹	No	No	No	No	Yes ³⁷⁷²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁷⁶⁴ Iowa Code § 716.10(2)(f).

³⁷⁶⁵ Iowa Code § 903.1(1)(b).

³⁷⁶⁶ Iowa Code § 903.1(1)(b).

³⁷⁶⁷ See Iowa Code § 907.3.

³⁷⁶⁸ Iowa Code § 903.1(1)(b).

³⁷⁶⁹ Iowa Code § 903.1(1)(b).

³⁷⁷⁰ Iowa Code § 903.1(1).

³⁷⁷¹ Iowa Code § 911.1(1).

³⁷⁷² Iowa Code § 911.3(1).

§ 716.10(2)(g)—Seventh-degree railroad vandalism

Class = simple misdemeanor³⁷⁷³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁷⁷⁴	0 ³⁷⁷⁵	N/A	Yes ³⁷⁷⁶

Fines

Max.	Min.	Can Suspend?
\$625 ³⁷⁷⁷	\$65 ³⁷⁷⁸	No ³⁷⁷⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁸⁰	No	No	No	No	Yes ³⁷⁸¹

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁷⁷³ Iowa Code § 716.10(2)(g).

³⁷⁷⁴ Iowa Code § 903.1(1)(a).

³⁷⁷⁵ Iowa Code § 903.1(1)(a).

³⁷⁷⁶ See Iowa Code § 907.3.

³⁷⁷⁷ Iowa Code § 903.1(1)(a).

³⁷⁷⁸ Iowa Code § 903.1(1)(a).

³⁷⁷⁹ Iowa Code § 903.1(1).

³⁷⁸⁰ Iowa Code § 911.1(1).

³⁷⁸¹ Iowa Code § 911.3(1).

§ 716.12—Critical Infrastructure Sabotage

Class = “B” felony³⁷⁸²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
25 years ³⁷⁸³	0 ³⁷⁸⁴	No, but see Enhancements	Yes ³⁷⁸⁵

Fines

Max.	Min.	Can Suspend?
\$100,000 ³⁷⁸⁶	\$85,000 ³⁷⁸⁷	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	Yes, \$125 ³⁷⁸⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁷⁸⁹	No	No

Notes:

³⁷⁸² Iowa Code § [716.12](#) (new section added by 2018 Iowa Acts ch. 1120, § 2 to create new class “B” felony offense, effective 7/1/2018).

³⁷⁸³ Iowa Code § [902.9](#)(1)(b).

³⁷⁸⁴ Iowa Code § [902.9](#)(1)(b).

³⁷⁸⁵ See Iowa Code § [907.3](#).

³⁷⁸⁶ Iowa Code § [716.12](#) (new section added by 2018 Iowa Acts ch. 1120, § 2 to create new class “B” felony offense with a specified max. fine, effective 7/1/2018).

³⁷⁸⁷ Iowa Code § [716.12](#) (new section added by 2018 Iowa Acts ch. 1120, § 2 to create new class “B” felony offense with specified min. fine, effective 7/1/2018).

³⁷⁸⁸ Iowa Code § [911.3](#)(1)(a).

³⁷⁸⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

CH. 719 OBSTRUCTING JUSTICE

§ 719.1—*Interference with Official Acts*

§ 719.1(1)—*Interference with official acts*

§ 719.1(1)(b)—*Interference with official acts*

Class = simple misdemeanor³⁷⁹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁷⁹¹	0 ³⁷⁹²	N/A	Yes ³⁷⁹³

Fines

Max.	Min.	Can Suspend?
\$625 ³⁷⁹⁴	\$250 ³⁷⁹⁵	No ³⁷⁹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁷⁹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁷⁹⁰ Iowa Code § 719.1(1)(b).

³⁷⁹¹ Iowa Code § 903.1(1)(a).

³⁷⁹² Iowa Code § 903.1(1)(a).

³⁷⁹³ See Iowa Code § 907.3.

³⁷⁹⁴ Iowa Code § 903.1(1)(a).

³⁷⁹⁵ Iowa Code § 719.1(1)(b).

³⁷⁹⁶ Iowa Code § 903.1(1).

³⁷⁹⁷ Iowa Code § 911.1(1).

§ 719.1(1)(c)—Resulting in bodily injury

Class = serious misdemeanor³⁷⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁷⁹⁹	0 ³⁸⁰⁰	N/A	Yes ³⁸⁰¹

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸⁰²	\$315 ³⁸⁰³	No ³⁸⁰⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁰⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁷⁹⁸ Iowa Code § 719.1(1)(c).

³⁷⁹⁹ Iowa Code § 903.1(1)(b).

³⁸⁰⁰ Iowa Code § 903.1(1)(b).

³⁸⁰¹ See Iowa Code § 907.3.

³⁸⁰² Iowa Code § 903.1(1)(b).

³⁸⁰³ Iowa Code § 903.1(1)(b).

³⁸⁰⁴ Iowa Code § 903.1(1).

³⁸⁰⁵ Iowa Code § 911.1(1).

§ 719.1(1)(d)—Resulting in serious injury

Class = aggravated misdemeanor³⁸⁰⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁸⁰⁷	0 ³⁸⁰⁸	None	Yes ³⁸⁰⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁸¹⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁸¹¹	\$625 ³⁸¹²	Yes ³⁸¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸¹⁵	No	No

Notes:

³⁸⁰⁶ Iowa Code § 719.1(1)(d).

³⁸⁰⁷ Iowa Code § 903.1(2).

³⁸⁰⁸ Iowa Code § 903.1(2).

³⁸⁰⁹ See Iowa Code § 907.3.

³⁸¹⁰ Iowa Code § 903.1(2).

³⁸¹¹ Iowa Code § 902.9(1)(e).

³⁸¹² Iowa Code § 902.9(1)(e).

³⁸¹³ Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸¹⁴ Iowa Code § 911.1(1).

³⁸¹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(1)(e)—Inflicting non-serious bodily injury

Class = aggravated misdemeanor³⁸¹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁸¹⁷	0 ³⁸¹⁸	None	Yes ³⁸¹⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁸²⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁸²¹	\$625 ³⁸²²	Yes ³⁸²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸²⁵	No	No

Notes:

³⁸¹⁶ Iowa Code § [719.1\(1\)\(e\)](#).

³⁸¹⁷ Iowa Code § [903.1\(2\)](#).

³⁸¹⁸ Iowa Code § [903.1\(2\)](#).

³⁸¹⁹ See Iowa Code § [907.3](#).

³⁸²⁰ Iowa Code § [903.1\(2\)](#).

³⁸²¹ Iowa Code § [902.9\(1\)\(e\)](#).

³⁸²² Iowa Code § [902.9\(1\)\(e\)](#).

³⁸²³ Iowa Code § [903.1\(2\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸²⁴ Iowa Code § [911.1\(1\)](#).

³⁸²⁵ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 719.1(1)(f)—Inflicting or attempting to inflict serious injury, while displaying a dangerous weapon, or while armed with a firearm

Class = “D” felony³⁸²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁸²⁷	0 ³⁸²⁸	No, but see Enhancements	Yes ³⁸²⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁸³⁰	\$750 ³⁸³¹	Yes ³⁸³²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸³³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸³⁴	No	No

Notes:

³⁸²⁶ Iowa Code § 719.1(1)(f).

³⁸²⁷ Iowa Code § 902.9(1)(e).

³⁸²⁸ Iowa Code § 902.9(1)(e).

³⁸²⁹ See Iowa Code § 907.3.

³⁸³⁰ Iowa Code § 902.9(1)(e).

³⁸³¹ Iowa Code § 902.9(1)(e).

³⁸³² See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸³³ Iowa Code § 911.1(1).

³⁸³⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(2)—Interference with official acts while under custody, control, or supervision of the department of corrections

§ 719.1(2)(b)—Interference with official acts while under custody, control, or supervision of the department of corrections

Class = serious misdemeanor³⁸³⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁸³⁶	0 ³⁸³⁷	N/A	Yes ³⁸³⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁸³⁹	\$315 ³⁸⁴⁰	No ³⁸⁴¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁴²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸³⁵ Iowa Code § 719.1(2)(b).

³⁸³⁶ Iowa Code § 903.1(1)(b).

³⁸³⁷ Iowa Code § 903.1(1)(b).

³⁸³⁸ See Iowa Code § 907.3.

³⁸³⁹ Iowa Code § 903.1(1)(b).

³⁸⁴⁰ Iowa Code § 903.1(1)(b).

³⁸⁴¹ Iowa Code § 903.1(1).

³⁸⁴² Iowa Code § 911.1(1).

§ 719.1(2)(c)—While committing an assault

Class = aggravated misdemeanor³⁸⁴³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁸⁴⁴	0 ³⁸⁴⁵	None	Yes ³⁸⁴⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁸⁴⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁸⁴⁸	\$625 ³⁸⁴⁹	Yes ³⁸⁵⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁵¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁵²	No	No

Notes:

³⁸⁴³ Iowa Code § 719.1(2)(c).

³⁸⁴⁴ Iowa Code § 903.1(2).

³⁸⁴⁵ Iowa Code § 903.1(2).

³⁸⁴⁶ See Iowa Code § 907.3.

³⁸⁴⁷ Iowa Code § 903.1(2).

³⁸⁴⁸ Iowa Code § 902.9(1)(e).

³⁸⁴⁹ Iowa Code § 902.9(1)(e).

³⁸⁵⁰ Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸⁵¹ Iowa Code § 911.1(1).

³⁸⁵² Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(2)(d)—Resulting in bodily injury

Class = aggravated misdemeanor³⁸⁵³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁸⁵⁴	0 ³⁸⁵⁵	None	Yes ³⁸⁵⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁸⁵⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁸⁵⁸	\$625 ³⁸⁵⁹	Yes ³⁸⁶⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁶¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁶²	No	No

Notes:

³⁸⁵³ Iowa Code § 719.1(2)(d).

³⁸⁵⁴ Iowa Code § 903.1(2).

³⁸⁵⁵ Iowa Code § 903.1(2).

³⁸⁵⁶ See Iowa Code § 907.3.

³⁸⁵⁷ Iowa Code § 903.1(2).

³⁸⁵⁸ Iowa Code § 902.9(1)(e).

³⁸⁵⁹ Iowa Code § 902.9(1)(e).

³⁸⁶⁰ Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸⁶¹ Iowa Code § 911.1(1).

³⁸⁶² Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(2)(e)—Resulting in serious injury

Class = “D” felony³⁸⁶³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁸⁶⁴	0 ³⁸⁶⁵	No, but see Enhancements	Yes ³⁸⁶⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁸⁶⁷	\$750 ³⁸⁶⁸	Yes ³⁸⁶⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁷⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁷¹	No	No

Notes:

³⁸⁶³ Iowa Code § 719.1(2)(e).

³⁸⁶⁴ Iowa Code § 902.9(1)(e).

³⁸⁶⁵ Iowa Code § 902.9(1)(e).

³⁸⁶⁶ See Iowa Code § 907.3.

³⁸⁶⁷ Iowa Code § 902.9(1)(e).

³⁸⁶⁸ Iowa Code § 902.9(1)(e).

³⁸⁶⁹ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸⁷⁰ Iowa Code § 911.1(1).

³⁸⁷¹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(2)(f)—Inflicting or attempting to inflict serious injury, while displaying a dangerous weapon, or while armed with a firearm

Class = “D” felony³⁸⁷²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁸⁷³	0 ³⁸⁷⁴	No, but see Enhancements	Yes ³⁸⁷⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁸⁷⁶	\$750 ³⁸⁷⁷	Yes ³⁸⁷⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁷⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁸⁰	No	No

Notes:

³⁸⁷² Iowa Code § 719.1(2)(f).

³⁸⁷³ Iowa Code § 902.9(1)(e).

³⁸⁷⁴ Iowa Code § 902.9(1)(e).

³⁸⁷⁵ See Iowa Code § 907.3.

³⁸⁷⁶ Iowa Code § 902.9(1)(e).

³⁸⁷⁷ Iowa Code § 902.9(1)(e).

³⁸⁷⁸ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸⁷⁹ Iowa Code § 911.1(1).

³⁸⁸⁰ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1(2)(g)—While using or attempting to use a dangerous weapon, or inflicting serious injury

Class = “C” felony³⁸⁸¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁸⁸²	0 ³⁸⁸³	No, but see Enhancements	Yes ³⁸⁸⁴

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁸⁸⁵	\$1000 ³⁸⁸⁶	Yes ³⁸⁸⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁸⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁸⁸⁹	No	No

Notes:

³⁸⁸¹ Iowa Code § 719.1(2)(g) (201).

³⁸⁸² Iowa Code § 902.9(1)(d).

³⁸⁸³ Iowa Code § 902.9(1)(d).

³⁸⁸⁴ See Iowa Code § 907.3.

³⁸⁸⁵ Iowa Code § 902.9(1)(d).

³⁸⁸⁶ Iowa Code § 902.9(1)(d).

³⁸⁸⁷ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁸⁸⁸ Iowa Code § 911.1(1).

³⁸⁸⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.1A—Providing False Identification Information

Class = simple misdemeanor³⁸⁹⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁸⁹¹	0 ³⁸⁹²	N/A	Yes ³⁸⁹³

Fines

Max.	Min.	Can Suspend?
\$625 ³⁸⁹⁴	\$65 ³⁸⁹⁵	No ³⁸⁹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁸⁹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸⁹⁰ Iowa Code § [719.1A](#).

³⁸⁹¹ Iowa Code § [903.1](#)(1)(a).

³⁸⁹² Iowa Code § [903.1](#)(1)(a).

³⁸⁹³ See Iowa Code § [907.3](#).

³⁸⁹⁴ Iowa Code § [903.1](#)(1)(a).

³⁸⁹⁵ Iowa Code § [903.1](#)(1)(a).

³⁸⁹⁶ Iowa Code § [903.1](#)(1).

³⁸⁹⁷ Iowa Code § [911.1](#)(1).

§ 719.2—Refusing to Assist Officer

Class = simple misdemeanor³⁸⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ³⁸⁹⁹	0 ³⁹⁰⁰	N/A	Yes ³⁹⁰¹

Fines

Max.	Min.	Can Suspend?
\$625 ³⁹⁰²	\$65 ³⁹⁰³	No ³⁹⁰⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁰⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁸⁹⁸ Iowa Code § [719.2](#).

³⁸⁹⁹ Iowa Code § [903.1](#)(1)(a).

³⁹⁰⁰ Iowa Code § [903.1](#)(1)(a).

³⁹⁰¹ See Iowa Code § [907.3](#).

³⁹⁰² Iowa Code § [903.1](#)(1)(a).

³⁹⁰³ Iowa Code § [903.1](#)(1)(a).

³⁹⁰⁴ Iowa Code § [903.1](#)(1).

³⁹⁰⁵ Iowa Code § [911.1](#)(1).

§ 719.3—Preventing Apprehension, Obstructing Prosecution, or Obstructing Defense

Class = aggravated misdemeanor³⁹⁰⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ³⁹⁰⁷	0 ³⁹⁰⁸	None	Yes ³⁹⁰⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term³⁹¹⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ³⁹¹¹	\$625 ³⁹¹²	Yes ³⁹¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹¹⁵	No	No

Notes:

³⁹⁰⁶ Iowa Code § [719.3](#).

³⁹⁰⁷ Iowa Code § [903.1](#)(2).

³⁹⁰⁸ Iowa Code § [903.1](#)(2).

³⁹⁰⁹ See Iowa Code § [907.3](#).

³⁹¹⁰ Iowa Code § [903.1](#)(2).

³⁹¹¹ Iowa Code § [902.9](#)(1)(e).

³⁹¹² Iowa Code § [902.9](#)(1)(e).

³⁹¹³ Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹¹⁴ Iowa Code § [911.1](#)(1).

³⁹¹⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 719.4—Escape or Absence from Custody

§ 719.4(1)—Felon escape or attempting to escape

Class = “D” felony³⁹¹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁹¹⁷	0 ³⁹¹⁸	No, but see Enhancements	Yes ³⁹¹⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁹²⁰	\$750 ³⁹²¹	Yes ³⁹²²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹²⁴	No	No

Notes:

³⁹¹⁶ Iowa Code § [719.4\(1\)](#).

³⁹¹⁷ Iowa Code § [902.9\(1\)\(e\)](#).

³⁹¹⁸ Iowa Code § [902.9\(1\)\(e\)](#).

³⁹¹⁹ See Iowa Code § [907.3](#).

³⁹²⁰ Iowa Code § [902.9\(1\)\(e\)](#).

³⁹²¹ Iowa Code § [902.9\(1\)\(e\)](#).

³⁹²² See Iowa Code § [902.9\(1\)\(e\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹²³ Iowa Code § [911.1\(1\)](#).

³⁹²⁴ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 719.4(2)—Misdemeanant escape or attempting to escapes

Class = serious misdemeanor³⁹²⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁹²⁶	0 ³⁹²⁷	N/A	Yes ³⁹²⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁹²⁹	\$315 ³⁹³⁰	No ³⁹³¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹³²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁹²⁵ Iowa Code § 719.4(2).

³⁹²⁶ Iowa Code § 903.1(1)(b).

³⁹²⁷ Iowa Code § 903.1(1)(b).

³⁹²⁸ See Iowa Code § 907.3.

³⁹²⁹ Iowa Code § 903.1(1)(b).

³⁹³⁰ Iowa Code § 903.1(1)(b).

³⁹³¹ Iowa Code § 903.1(1).

³⁹³² Iowa Code § 911.1(1).

§ 719.4(3)—Absence from department of corrections institution or community-based correctional facilityClass = serious misdemeanor³⁹³³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ³⁹³⁴	0 ³⁹³⁵	N/A	Yes ³⁹³⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ³⁹³⁷	\$315 ³⁹³⁸	No ³⁹³⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁴⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

³⁹³³ Iowa Code § 719.4(3).³⁹³⁴ Iowa Code § 903.1(1)(b).³⁹³⁵ Iowa Code § 903.1(1)(b).³⁹³⁶ See Iowa Code § 907.3.³⁹³⁷ Iowa Code § 903.1(1)(b).³⁹³⁸ Iowa Code § 903.1(1)(b).³⁹³⁹ Iowa Code § 903.1(1).³⁹⁴⁰ Iowa Code § 911.1(1).

§ 719.4(4)—Fees from the state to avoid prosecution for felony or aggravated misdemeanorClass = “D” felony³⁹⁴¹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁹⁴²	0 ³⁹⁴³	No, but see Enhancements	Yes ³⁹⁴⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁹⁴⁵	\$750 ³⁹⁴⁶	Yes ³⁹⁴⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁴⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁴⁹	No	No

Notes:³⁹⁴¹ Iowa Code § 719.4(4).³⁹⁴² Iowa Code § 902.9(1)(e).³⁹⁴³ Iowa Code § 902.9(1)(e).³⁹⁴⁴ See Iowa Code § 907.3.³⁹⁴⁵ Iowa Code § 902.9(1)(e).³⁹⁴⁶ Iowa Code § 902.9(1)(e).³⁹⁴⁷ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁹⁴⁸ Iowa Code § 911.1(1).³⁹⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.5—Permitting Prisoner to Escape

§ 719.5(1)—Permitting prisoner convicted or charged with “A” felony to escape

Class = “C” felony³⁹⁵⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁹⁵¹	0 ³⁹⁵²	No, but see Enhancements	Yes ³⁹⁵³

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁹⁵⁴	\$1000 ³⁹⁵⁵	Yes ³⁹⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁵⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁵⁸	No	No

Notes:

³⁹⁵⁰ Iowa Code § [719.5\(1\)](#).

³⁹⁵¹ Iowa Code § [902.9\(1\)\(d\)](#).

³⁹⁵² Iowa Code § [902.9\(1\)\(d\)](#).

³⁹⁵³ See Iowa Code § [907.3](#).

³⁹⁵⁴ Iowa Code § [902.9\(1\)\(d\)](#).

³⁹⁵⁵ Iowa Code § [902.9\(1\)\(d\)](#).

³⁹⁵⁶ See Iowa Code § [902.9\(1\)\(d\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹⁵⁷ Iowa Code § [911.1\(1\)](#).

³⁹⁵⁸ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 719.5(2)—Permitting prisoner convicted or charged with any public offense other than an “A” felony to escapeClass = “D” felony³⁹⁵⁹**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁹⁶⁰	0 ³⁹⁶¹	No, but see Enhancements	Yes ³⁹⁶²

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁹⁶³	\$750 ³⁹⁶⁴	Yes ³⁹⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁶⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁶⁷	No	No

Notes:³⁹⁵⁹ Iowa Code § 719.5(2).³⁹⁶⁰ Iowa Code § 902.9(1)(e).³⁹⁶¹ Iowa Code § 902.9(1)(e).³⁹⁶² See Iowa Code § 907.3.³⁹⁶³ Iowa Code § 902.9(1)(e).³⁹⁶⁴ Iowa Code § 902.9(1)(e).³⁹⁶⁵ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁹⁶⁶ Iowa Code § 911.1(1).³⁹⁶⁷ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.6—Assisting Prisoner to Escape

§ 719.6(1)—Assisting prisoner convicted of “A” felony to escape

Class = “C” felony³⁹⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁹⁶⁹	0 ³⁹⁷⁰	No, but see Enhancements	Yes ³⁹⁷¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁹⁷²	\$1000 ³⁹⁷³	Yes ³⁹⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁷⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁷⁶	No	No

Notes:

³⁹⁶⁸ Iowa Code § [719.6\(1\)](#).

³⁹⁶⁹ Iowa Code § [902.9\(1\)\(d\)](#).

³⁹⁷⁰ Iowa Code § [902.9\(1\)\(d\)](#).

³⁹⁷¹ See Iowa Code § [907.3](#).

³⁹⁷² Iowa Code § [902.9\(1\)\(d\)](#).

³⁹⁷³ Iowa Code § [902.9\(1\)\(d\)](#).

³⁹⁷⁴ See Iowa Code § [902.9\(1\)\(d\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹⁷⁵ Iowa Code § [911.1\(1\)](#).

³⁹⁷⁶ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 719.6(2)—Assisting prisoner convicted of any public offense other than an “A” felony to escapeClass = “D” felony³⁹⁷⁷**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁹⁷⁸	0 ³⁹⁷⁹	No, but see Enhancements	Yes ³⁹⁸⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ³⁹⁸¹	\$750 ³⁹⁸²	Yes ³⁹⁸³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁸⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁸⁵	No	No

Notes:³⁹⁷⁷ Iowa Code § 719.6(2).³⁹⁷⁸ Iowa Code § 902.9(1)(e).³⁹⁷⁹ Iowa Code § 902.9(1)(e).³⁹⁸⁰ See Iowa Code § 907.3.³⁹⁸¹ Iowa Code § 902.9(1)(e).³⁹⁸² Iowa Code § 902.9(1)(e).³⁹⁸³ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).³⁹⁸⁴ Iowa Code § 911.1(1).³⁹⁸⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.7—Possessing Contraband

§ 719.7(4)(a)—Contraband including dangerous or offensive weapon, ammunition, knife, incendiary material, etc.

Class = “C” felony³⁹⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ³⁹⁸⁷	0 ³⁹⁸⁸	No, but see Enhancements	Yes ³⁹⁸⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ³⁹⁹⁰	\$1000 ³⁹⁹¹	Yes ³⁹⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ³⁹⁹³	No	No	No	No	Yes, \$125 ³⁹⁹⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ³⁹⁹⁵	No	No

Notes:

³⁹⁸⁶ Iowa Code § [719.7](#)(4)(a).

³⁹⁸⁷ Iowa Code § [902.9](#)(1)(d).

³⁹⁸⁸ Iowa Code § [902.9](#)(1)(d).

³⁹⁸⁹ See Iowa Code § [907.3](#).

³⁹⁹⁰ Iowa Code § [902.9](#)(1)(d).

³⁹⁹¹ Iowa Code § [902.9](#)(1)(d).

³⁹⁹² See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

³⁹⁹³ Iowa Code § [911.1](#)(1).

³⁹⁹⁴ Iowa Code § [911.3](#)(1).

³⁹⁹⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 719.7(4)(b)—Any other contrabandClass = “D” felony³⁹⁹⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ³⁹⁹⁷	0 ³⁹⁹⁸	No, but see Enhancements	Yes ³⁹⁹⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰⁰⁰	\$750 ⁴⁰⁰¹	Yes ⁴⁰⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁰³	No	No	No	No	Yes, \$125 ⁴⁰⁰⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁰⁵	No	No

Notes:³⁹⁹⁶ Iowa Code § 719.7(4)(b).³⁹⁹⁷ Iowa Code § 902.9(1)(e).³⁹⁹⁸ Iowa Code § 902.9(1)(e).³⁹⁹⁹ See Iowa Code § 907.3.⁴⁰⁰⁰ Iowa Code § 902.9(1)(e).⁴⁰⁰¹ Iowa Code § 902.9(1)(e).⁴⁰⁰² See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).⁴⁰⁰³ Iowa Code § 911.1(1).⁴⁰⁰⁴ Iowa Code § 911.3(1).⁴⁰⁰⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.7(4)(c)—Failure to report known possession or attempted possession of contraband

Class = aggravated misdemeanor⁴⁰⁰⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁰⁰⁷	0 ⁴⁰⁰⁸	None	Yes ⁴⁰⁰⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁰¹⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁰¹¹	\$625 ⁴⁰¹²	Yes ⁴⁰¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰¹⁴	No	No	No	No	Yes, \$125 ⁴⁰¹⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰¹⁶	No	No

Notes:

⁴⁰⁰⁶ Iowa Code § 719.7(4)(c).

⁴⁰⁰⁷ Iowa Code § 903.1(2).

⁴⁰⁰⁸ Iowa Code § 903.1(2).

⁴⁰⁰⁹ See Iowa Code § 907.3.

⁴⁰¹⁰ Iowa Code § 903.1(2).

⁴⁰¹¹ Iowa Code § 902.9(1)(e).

⁴⁰¹² Iowa Code § 902.9(1)(e).

⁴⁰¹³ Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰¹⁴ Iowa Code § 911.1(1).

⁴⁰¹⁵ Iowa Code § 911.3(1).

⁴⁰¹⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.7A—Electronic Contraband

§ 719.7A(3)—Possession of electronic contraband

Class = “D” felony⁴⁰¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰¹⁸	0 ⁴⁰¹⁹	No, but see Enhancements	Yes ⁴⁰²⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰²¹	\$750 ⁴⁰²²	Yes ⁴⁰²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰²⁵	No	No

Notes:

⁴⁰¹⁷ Iowa Code § [719.7A](#)(3).

⁴⁰¹⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁰¹⁹ Iowa Code § [902.9](#)(1)(e).

⁴⁰²⁰ See Iowa Code § [907.3](#).

⁴⁰²¹ Iowa Code § [902.9](#)(1)(e).

⁴⁰²² Iowa Code § [902.9](#)(1)(e).

⁴⁰²³ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰²⁴ Iowa Code § [911.1](#)(1).

⁴⁰²⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 719.7A(4)—Failure to report known possession or attempted possession of electronic contraband

Class = aggravated misdemeanor⁴⁰²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁰²⁷	0 ⁴⁰²⁸	None	Yes ⁴⁰²⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁰³⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁰³¹	\$625 ⁴⁰³²	Yes ⁴⁰³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰³⁵	No	No

Notes:

⁴⁰²⁶ Iowa Code § 719.7A(4).

⁴⁰²⁷ Iowa Code § 903.1(2).

⁴⁰²⁸ Iowa Code § 903.1(2).

⁴⁰²⁹ See Iowa Code § 907.3.

⁴⁰³⁰ Iowa Code § 903.1(2).

⁴⁰³¹ Iowa Code § 902.9(1)(e).

⁴⁰³² Iowa Code § 902.9(1)(e).

⁴⁰³³ Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰³⁴ Iowa Code § 911.1(1).

⁴⁰³⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 719.8—Furnishing Controlled Substance or Intoxicating Beverage to Inmates at Detention Facility

Class = “D” felony⁴⁰³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰³⁷	0 ⁴⁰³⁸	No, but see Enhancements	Yes ⁴⁰³⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰⁴⁰	\$750 ⁴⁰⁴¹	Yes ⁴⁰⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁴³	No	No	No	No	Yes, \$125 ⁴⁰⁴⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁴⁵	No	No

Notes:

⁴⁰³⁶ Iowa Code § [719.8](#).

⁴⁰³⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁰³⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁰³⁹ See Iowa Code § [907.3](#).

⁴⁰⁴⁰ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁴¹ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁴² See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰⁴³ Iowa Code § [911.1](#)(1).

⁴⁰⁴⁴ Iowa Code § [911.3](#)(1).

⁴⁰⁴⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 719.9—Use of Unmanned Aerial Vehicle

Class = “D” felony⁴⁰⁴⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰⁴⁷	0 ⁴⁰⁴⁸	No, but see Enhancements	Yes ⁴⁰⁴⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰⁵⁰	\$750 ⁴⁰⁵¹	Yes ⁴⁰⁵²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁵³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁵⁴	No	No

Notes:

⁴⁰⁴⁶ Iowa Code § [719.9](#) (new section added by 2018 Iowa Acts ch. 1168, § 20 to create new class “D” felony offense, effective 6/1/2018).

⁴⁰⁴⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁴⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁴⁹ See Iowa Code § [907.3](#).

⁴⁰⁵⁰ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁵¹ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁵² See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰⁵³ Iowa Code § [911.1](#)(1).

⁴⁰⁵⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

CH. 720 INTERFERENCE WITH JUDICIAL PROCESS

§ 720.1—Compounding a Felony

Class = aggravated misdemeanor⁴⁰⁵⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁰⁵⁶	0 ⁴⁰⁵⁷	None	Yes ⁴⁰⁵⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁰⁵⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁰⁶⁰	\$625 ⁴⁰⁶¹	Yes ⁴⁰⁶²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁶³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁶⁴	No	No

Notes:

⁴⁰⁵⁵ Iowa Code § [720.1](#).

⁴⁰⁵⁶ Iowa Code § [903.1](#)(2).

⁴⁰⁵⁷ Iowa Code § [903.1](#)(2).

⁴⁰⁵⁸ See Iowa Code § [907.3](#).

⁴⁰⁵⁹ Iowa Code § [903.1](#)(2).

⁴⁰⁶⁰ Iowa Code § [903.1](#)(2).

⁴⁰⁶¹ Iowa Code § [903.1](#)(2).

⁴⁰⁶² See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰⁶³ Iowa Code § [911.1](#)(1).

⁴⁰⁶⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 720.2—Perjury, Contradictory Statements, and Retraction

Class = “D” felony⁴⁰⁶⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰⁶⁶	0 ⁴⁰⁶⁷	No, but see Enhancements	Yes ⁴⁰⁶⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰⁶⁹	\$750 ⁴⁰⁷⁰	Yes ⁴⁰⁷¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁷²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁷³	No	No

Notes:

⁴⁰⁶⁵ Iowa Code § [720.2](#).

⁴⁰⁶⁶ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁶⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁶⁸ See Iowa Code § [907.3](#).

⁴⁰⁶⁹ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁷⁰ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁷¹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰⁷² Iowa Code § [911.1](#)(1).

⁴⁰⁷³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 720.3—Suborning Perjury

Class = “D” felony⁴⁰⁷⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁰⁷⁵	0 ⁴⁰⁷⁶	No, but see Enhancements	Yes ⁴⁰⁷⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁰⁷⁸	\$750 ⁴⁰⁷⁹	Yes ⁴⁰⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁸¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁸²	No	No

Notes:

⁴⁰⁷⁴ Iowa Code § [720.3](#).

⁴⁰⁷⁵ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁷⁶ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁷⁷ See Iowa Code § [907.3](#).

⁴⁰⁷⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁷⁹ Iowa Code § [902.9](#)(1)(e).

⁴⁰⁸⁰ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰⁸¹ Iowa Code § [911.1](#)(1).

⁴⁰⁸² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 720.4—Tampering with Witnesses or Jurors

Class = aggravated misdemeanor⁴⁰⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁰⁸⁴	0 ⁴⁰⁸⁵	None	Yes ⁴⁰⁸⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁰⁸⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁰⁸⁸	\$625 ⁴⁰⁸⁹	Yes ⁴⁰⁹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁰⁹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁰⁹²	No	No

Notes:

⁴⁰⁸³ Iowa Code § [720.4](#).

⁴⁰⁸⁴ Iowa Code § [903.1](#)(2).

⁴⁰⁸⁵ Iowa Code § [903.1](#)(2).

⁴⁰⁸⁶ See Iowa Code § [907.3](#).

⁴⁰⁸⁷ Iowa Code § [903.1](#)(2).

⁴⁰⁸⁸ Iowa Code § [903.1](#)(2).

⁴⁰⁸⁹ Iowa Code § [903.1](#)(2).

⁴⁰⁹⁰ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁰⁹¹ Iowa Code § [911.1](#)(1).

⁴⁰⁹² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 720.5—False Representation of Records or Process

Class = simple misdemeanor⁴⁰⁹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ⁴⁰⁹⁴	0 ⁴⁰⁹⁵	N/A	Yes ⁴⁰⁹⁶

Fines

Max.	Min.	Can Suspend?
\$625 ⁴⁰⁹⁷	\$65 ⁴⁰⁹⁸	No ⁴⁰⁹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁰⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁰⁹³ Iowa Code § [720.5](#).

⁴⁰⁹⁴ Iowa Code § [903.1](#)(1)(a).

⁴⁰⁹⁵ Iowa Code § [903.1](#)(1)(a).

⁴⁰⁹⁶ See Iowa Code § [907.3](#).

⁴⁰⁹⁷ Iowa Code § [903.1](#)(1)(a).

⁴⁰⁹⁸ Iowa Code § [903.1](#)(1)(a).

⁴⁰⁹⁹ Iowa Code § [903.1](#)(1).

⁴¹⁰⁰ Iowa Code § [911.1](#)(1).

§ 720.6—Malicious Prosecution

Class = serious misdemeanor⁴¹⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴¹⁰²	0 ⁴¹⁰³	N/A	Yes ⁴¹⁰⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹⁰⁵	\$315 ⁴¹⁰⁶	No ⁴¹⁰⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁰⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹⁰¹ Iowa Code § [720.6](#).

⁴¹⁰² Iowa Code § [903.1](#)(1)(b).

⁴¹⁰³ Iowa Code § [903.1](#)(1)(b).

⁴¹⁰⁴ See Iowa Code § [907.3](#).

⁴¹⁰⁵ Iowa Code § [903.1](#)(1)(b).

⁴¹⁰⁶ Iowa Code § [903.1](#)(1)(b).

⁴¹⁰⁷ Iowa Code § [903.1](#)(1).

⁴¹⁰⁸ Iowa Code § [911.1](#)(1).

§ 720.7—Interference with Judicial Acts

Class = aggravated misdemeanor⁴¹⁰⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴¹¹⁰	0 ⁴¹¹¹	None	Yes ⁴¹¹²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴¹¹³

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴¹¹⁴	\$625 ⁴¹¹⁵	Yes ⁴¹¹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹¹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹¹⁸	No	No

Notes:

⁴¹⁰⁹ Iowa Code § [720.7](#).

⁴¹¹⁰ Iowa Code § [903.1](#)(2).

⁴¹¹¹ Iowa Code § [903.1](#)(2).

⁴¹¹² See Iowa Code § [907.3](#).

⁴¹¹³ Iowa Code § [903.1](#)(2).

⁴¹¹⁴ Iowa Code § [903.1](#)(2).

⁴¹¹⁵ Iowa Code § [903.1](#)(2).

⁴¹¹⁶ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹¹⁷ Iowa Code § [911.1](#)(1).

⁴¹¹⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

CH. 721 OFFICIAL MISCONDUCT

§ 721.1—*Felonious Misconduct in Office*

Class = “D” felony⁴¹¹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴¹²⁰	0 ⁴¹²¹	No, but see Enhancements	Yes ⁴¹²²

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴¹²³	\$750 ⁴¹²⁴	Yes ⁴¹²⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹²⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴¹²⁷	No	No

Notes:

⁴¹¹⁹ Iowa Code § [721.1](#).

⁴¹²⁰ Iowa Code § [902.9](#)(1)(e).

⁴¹²¹ Iowa Code § [902.9](#)(1)(e).

⁴¹²² See Iowa Code § [907.3](#).

⁴¹²³ Iowa Code § [902.9](#)(1)(e).

⁴¹²⁴ Iowa Code § [902.9](#)(1)(e).

⁴¹²⁵ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹²⁶ Iowa Code § [911.1](#)(1).

⁴¹²⁷ Iowa Code §§ [81.2](#), [901.5](#)(8A)(a) .

§ 721.2—Nonfelonious Misconduct in Office

Class = serious misdemeanor⁴¹²⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴¹²⁹	0 ⁴¹³⁰	N/A	Yes ⁴¹³¹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹³²	\$315 ⁴¹³³	No ⁴¹³⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹³⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹²⁸ Iowa Code § 721.2.

⁴¹²⁹ Iowa Code § 903.1(1)(b).

⁴¹³⁰ Iowa Code § 903.1(1)(b).

⁴¹³¹ See Iowa Code § 907.3.

⁴¹³² Iowa Code § 903.1(1)(b).

⁴¹³³ Iowa Code § 903.1(1)(b).

⁴¹³⁴ Iowa Code § 903.1(1).

⁴¹³⁵ Iowa Code § 911.1(1).

§ 721.3—Solicitation for Political Purposes

Class = serious misdemeanor⁴¹³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴¹³⁷	0 ⁴¹³⁸	N/A	Yes ⁴¹³⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹⁴⁰	\$315 ⁴¹⁴¹	No ⁴¹⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹³⁶ Iowa Code § [721.7](#).

⁴¹³⁷ Iowa Code § [903.1](#)(1)(b).

⁴¹³⁸ Iowa Code § [903.1](#)(1)(b).

⁴¹³⁹ See Iowa Code § [907.3](#).

⁴¹⁴⁰ Iowa Code § [903.1](#)(1)(b).

⁴¹⁴¹ Iowa Code § [903.1](#)(1)(b).

⁴¹⁴² Iowa Code § [903.1](#)(1).

⁴¹⁴³ Iowa Code § [911.1](#)(1).

§ 721.4—Using Public Motor Vehicles for Political Purposes

Class = serious misdemeanor⁴¹⁴⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴¹⁴⁵	0 ⁴¹⁴⁶	N/A	Yes ⁴¹⁴⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹⁴⁸	\$315 ⁴¹⁴⁹	No ⁴¹⁵⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁵¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹⁴⁴ Iowa Code § [721.7](#).

⁴¹⁴⁵ Iowa Code § [903.1](#)(1)(b).

⁴¹⁴⁶ Iowa Code § [903.1](#)(1)(b).

⁴¹⁴⁷ See Iowa Code § [907.3](#).

⁴¹⁴⁸ Iowa Code § [903.1](#)(1)(b).

⁴¹⁴⁹ Iowa Code § [903.1](#)(1)(b).

⁴¹⁵⁰ Iowa Code § [903.1](#)(1).

⁴¹⁵¹ Iowa Code § [911.1](#)(1).

§ 721.5—State Employee Leaving Employment or Duties to Solicit Votes or Campaign During Hours of Employment

Class = serious misdemeanor⁴¹⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴¹⁵³	0 ⁴¹⁵⁴	N/A	Yes ⁴¹⁵⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹⁵⁶	\$315 ⁴¹⁵⁷	No ⁴¹⁵⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁵⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹⁵² Iowa Code § [721.7](#).

⁴¹⁵³ Iowa Code § [903.1](#)(1)(b).

⁴¹⁵⁴ Iowa Code § [903.1](#)(1)(b).

⁴¹⁵⁵ See Iowa Code § [907.3](#).

⁴¹⁵⁶ Iowa Code § [903.1](#)(1)(b).

⁴¹⁵⁷ Iowa Code § [903.1](#)(1)(b).

⁴¹⁵⁸ Iowa Code § [903.1](#)(1).

⁴¹⁵⁹ Iowa Code § [911.1](#)(1).

§ 721.8—Failure to Label Publicly Owned Motor Vehicles

Class = serious misdemeanor⁴¹⁶⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴¹⁶¹	0 ⁴¹⁶²	N/A	Yes ⁴¹⁶³

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹⁶⁴	\$315 ⁴¹⁶⁵	No ⁴¹⁶⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁶⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹⁶⁰ Iowa Code § [721.9](#).

⁴¹⁶¹ Iowa Code § [903.1](#)(1)(b).

⁴¹⁶² Iowa Code § [903.1](#)(1)(b).

⁴¹⁶³ See Iowa Code § [907.3](#).

⁴¹⁶⁴ Iowa Code § [903.1](#)(1)(b).

⁴¹⁶⁵ Iowa Code § [903.1](#)(1)(b).

⁴¹⁶⁶ Iowa Code § [903.1](#)(1).

⁴¹⁶⁷ Iowa Code § [911.1](#)(1).

§ 721.10—Misuse of Public Records and Files

Class = serious misdemeanor⁴¹⁶⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴¹⁶⁹	0 ⁴¹⁷⁰	N/A	Yes ⁴¹⁷¹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹⁷²	\$315 ⁴¹⁷³	No ⁴¹⁷⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁷⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹⁶⁸ Iowa Code § [721.10](#).

⁴¹⁶⁹ Iowa Code § [903.1](#)(1)(b).

⁴¹⁷⁰ Iowa Code § [903.1](#)(1)(b).

⁴¹⁷¹ See Iowa Code § [907.3](#).

⁴¹⁷² Iowa Code § [903.1](#)(1)(b).

⁴¹⁷³ Iowa Code § [903.1](#)(1)(b).

⁴¹⁷⁴ Iowa Code § [903.1](#)(1).

⁴¹⁷⁵ Iowa Code § [911.1](#)(1).

§ 721.11—Interest in Public Contracts

Class = serious misdemeanor⁴¹⁷⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴¹⁷⁷	0 ⁴¹⁷⁸	N/A	Yes ⁴¹⁷⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴¹⁸⁰	\$315 ⁴¹⁸¹	No ⁴¹⁸²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁸³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹⁷⁶ Iowa Code § [721.11](#).

⁴¹⁷⁷ Iowa Code § [903.1](#)(1)(b).

⁴¹⁷⁸ Iowa Code § [903.1](#)(1)(b).

⁴¹⁷⁹ See Iowa Code § [907.3](#).

⁴¹⁸⁰ Iowa Code § [903.1](#)(1)(b).

⁴¹⁸¹ Iowa Code § [903.1](#)(1)(b).

⁴¹⁸² Iowa Code § [903.1](#)(1).

⁴¹⁸³ Iowa Code § [911.1](#)(1).

§ 721.12—Profiting From Inmates

Class = simple misdemeanor⁴¹⁸⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴¹⁸⁵	0 ⁴¹⁸⁶	N/A	Yes ⁴¹⁸⁷

Fines

Max.	Min.	Can Suspend?
\$625 ⁴¹⁸⁸	\$65 ⁴¹⁸⁹	No ⁴¹⁹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴¹⁸⁴ Iowa Code § [721.12](#).

⁴¹⁸⁵ Iowa Code § [903.1](#)(1)(a).

⁴¹⁸⁶ Iowa Code § [903.1](#)(1)(a).

⁴¹⁸⁷ See Iowa Code § [907.3](#).

⁴¹⁸⁸ Iowa Code § [903.1](#)(1)(a).

⁴¹⁸⁹ Iowa Code § [903.1](#)(1)(a).

⁴¹⁹⁰ Iowa Code § [903.1](#)(1).

⁴¹⁹¹ Iowa Code § [911.1](#)(1).

CH. 722 BRIBERY AND CORRUPTION

§ 722.1—Bribery

Class = “D” felony⁴¹⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴¹⁹³	0 ⁴¹⁹⁴	No, but see Enhancements	Yes ⁴¹⁹⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴¹⁹⁶	\$750 ⁴¹⁹⁷	Yes ⁴¹⁹⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴¹⁹⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁰⁰	No	No

Notes:

- ❖ Additional Penalty:
 - person is disqualified from holding public office⁴²⁰¹

⁴¹⁹² Iowa Code § [722.1](#).

⁴¹⁹³ Iowa Code § [902.9](#)(1)(e).

⁴¹⁹⁴ Iowa Code § [902.9](#)(1)(e).

⁴¹⁹⁵ See Iowa Code § [907.3](#).

⁴¹⁹⁶ Iowa Code § [902.9](#)(1)(e).

⁴¹⁹⁷ Iowa Code § [902.9](#)(1)(e).

⁴¹⁹⁸ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴¹⁹⁹ Iowa Code § [911.1](#)(1).

⁴²⁰⁰ Iowa Code §§ [81.2](#), [901.5](#)(8A)(a).

⁴²⁰¹ Iowa Code § [722.1](#).

§ 722.2—Accepting Bribe

Class = “C” felony⁴²⁰²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴²⁰³	0 ⁴²⁰⁴	No, but see Enhancements	Yes ⁴²⁰⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴²⁰⁶	\$1000 ⁴²⁰⁷	Yes ⁴²⁰⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁰⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²¹⁰	No	No

Notes:

- ❖ Additional Penalty:
 - person is disqualified from holding public office⁴²¹¹

⁴²⁰² Iowa Code § [722.2](#).

⁴²⁰³ Iowa Code § [902.9](#)(1)(d).

⁴²⁰⁴ Iowa Code § [902.9](#)(1)(d).

⁴²⁰⁵ See Iowa Code § [907.3](#).

⁴²⁰⁶ Iowa Code § [902.9](#)(1)(d).

⁴²⁰⁷ Iowa Code § [902.9](#)(1)(d).

⁴²⁰⁸ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²⁰⁹ Iowa Code § [911.1](#)(1).

⁴²¹⁰ Iowa Code §§ [81.2](#), [901.5](#)(8A)(a).

⁴²¹¹ Iowa Code § [722.2](#).

§ 722.3—Bribery in Sports

Class = aggravated misdemeanor⁴²¹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²¹³	0 ⁴²¹⁴	None	Yes ⁴²¹⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴²¹⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴²¹⁷	\$625 ⁴²¹⁸	Yes ⁴²¹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²²⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²²¹	No	No

Notes:

⁴²¹² Iowa Code § [722.3](#).

⁴²¹³ Iowa Code § [903.1](#)(2).

⁴²¹⁴ Iowa Code § [903.1](#)(2).

⁴²¹⁵ See Iowa Code § [907.3](#).

⁴²¹⁶ Iowa Code § [903.1](#)(2).

⁴²¹⁷ Iowa Code § [903.1](#)(2).

⁴²¹⁸ Iowa Code § [903.1](#)(2).

⁴²¹⁹ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²²⁰ Iowa Code § [911.1](#)(1).

⁴²²¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 722.10—Commercial Bribery

Class = “D” felony⁴²²²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴²²³	0 ⁴²²⁴	No, but see Enhancements	Yes ⁴²²⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴²²⁶	\$750 ⁴²²⁷	Yes ⁴²²⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²²⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²³⁰	No	No

Notes:

⁴²²² Iowa Code § [722.10](#)(3).

⁴²²³ Iowa Code § [902.9](#)(1)(e).

⁴²²⁴ Iowa Code § [902.9](#)(1)(e).

⁴²²⁵ See Iowa Code § [907.3](#).

⁴²²⁶ Iowa Code § [902.9](#)(1)(e).

⁴²²⁷ Iowa Code § [902.9](#)(1)(e).

⁴²²⁸ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²²⁹ Iowa Code § [911.1](#)(1).

⁴²³⁰ Iowa Code §§ [81.2](#), [901.5](#)(8A)(a).

§ 722.11—Student-Athlete Prohibitions

§ 722.11(2)—Unlawful giving, offering, promising, or attempting to give money to student-athlete

Class = aggravated misdemeanor⁴²³¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²³²	0 ⁴²³³	None	Yes ⁴²³⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴²³⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴²³⁶	\$625 ⁴²³⁷	Yes ⁴²³⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²³⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁴⁰	No	No

Notes:

⁴²³¹ Iowa Code § [722.11](#)(2)(e).

⁴²³² Iowa Code § [903.1](#)(2).

⁴²³³ Iowa Code § [903.1](#)(2).

⁴²³⁴ See Iowa Code § [907.3](#).

⁴²³⁵ Iowa Code § [903.1](#)(2).

⁴²³⁶ Iowa Code § [903.1](#)(2).

⁴²³⁷ Iowa Code § [903.1](#)(2).

⁴²³⁸ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²³⁹ Iowa Code § [911.1](#)(1).

⁴²⁴⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 722.11(3)—Unlawful solicitation or accepting of money or anything of value by student-athlete

Class = serious misdemeanor⁴²⁴¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴²⁴²	0 ⁴²⁴³	N/A	Yes ⁴²⁴⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴²⁴⁵	\$315 ⁴²⁴⁶	No ⁴²⁴⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁴⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴²⁴¹ Iowa Code § 722.11(3)(c).

⁴²⁴² Iowa Code § 903.1(1)(b).

⁴²⁴³ Iowa Code § 903.1(1)(b).

⁴²⁴⁴ See Iowa Code § 907.3.

⁴²⁴⁵ Iowa Code § 903.1(1)(b).

⁴²⁴⁶ Iowa Code § 903.1(1)(b).

⁴²⁴⁷ Iowa Code § 903.1(1).

⁴²⁴⁸ Iowa Code § 911.1(1).

Ch. [723](#) Public Disorder

§ [723.1](#)—Riot

Class = aggravated misdemeanor⁴²⁴⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴²⁵⁰	0 ⁴²⁵¹	None	Yes ⁴²⁵²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴²⁵³

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴²⁵⁴	\$625 ⁴²⁵⁵	Yes ⁴²⁵⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁵⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴²⁵⁸	No	No

Notes:

⁴²⁴⁹ Iowa Code § [723.1](#).

⁴²⁵⁰ Iowa Code § [903.1](#)(2).

⁴²⁵¹ Iowa Code § [903.1](#)(2).

⁴²⁵² See Iowa Code § [907.3](#).

⁴²⁵³ Iowa Code § [903.1](#)(2).

⁴²⁵⁴ Iowa Code § [903.1](#)(2).

⁴²⁵⁵ Iowa Code § [903.1](#)(2).

⁴²⁵⁶ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴²⁵⁷ Iowa Code § [911.1](#)(1).

⁴²⁵⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 723.2—Unlawful Assembly

Class = simple misdemeanor⁴²⁵⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ⁴²⁶⁰	0 ⁴²⁶¹	N/A	Yes ⁴²⁶²

Fines

Max.	Min.	Can Suspend?
\$625 ⁴²⁶³	\$65 ⁴²⁶⁴	No ⁴²⁶⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁶⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴²⁵⁹ Iowa Code § [723.2](#).

⁴²⁶⁰ Iowa Code § [903.1](#)(1)(a).

⁴²⁶¹ Iowa Code § [903.1](#)(1)(a).

⁴²⁶² See Iowa Code § [907.3](#).

⁴²⁶³ Iowa Code § [903.1](#)(1)(a).

⁴²⁶⁴ Iowa Code § [903.1](#)(1)(a).

⁴²⁶⁵ Iowa Code § [903.1](#)(1).

⁴²⁶⁶ Iowa Code § [911.1](#)(1).

§ 723.3—Failure to Disburse

Class = simple misdemeanor⁴²⁶⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ⁴²⁶⁸	0 ⁴²⁶⁹	N/A	Yes ⁴²⁷⁰

Fines

Max.	Min.	Can Suspend?
\$625 ⁴²⁷¹	\$65 ⁴²⁷²	No ⁴²⁷³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁷⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴²⁶⁷ Iowa Code § [723.3](#).

⁴²⁶⁸ Iowa Code § [903.1](#)(1)(a).

⁴²⁶⁹ Iowa Code § [903.1](#)(1)(a).

⁴²⁷⁰ See Iowa Code § [907.3](#).

⁴²⁷¹ Iowa Code § [903.1](#)(1)(a).

⁴²⁷² Iowa Code § [903.1](#)(1)(a).

⁴²⁷³ Iowa Code § [903.1](#)(1).

⁴²⁷⁴ Iowa Code § [911.1](#)(1).

§ 723.4—Disorderly Conduct

Class = simple misdemeanor⁴²⁷⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ⁴²⁷⁶	0 ⁴²⁷⁷	N/A	Yes ⁴²⁷⁸

Fines

Max.	Min.	Can Suspend?
\$625 ⁴²⁷⁹	\$65 ⁴²⁸⁰	No ⁴²⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁸²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴²⁷⁵ Iowa Code § [723.4](#).

⁴²⁷⁶ Iowa Code § [903.1](#)(1)(a).

⁴²⁷⁷ Iowa Code § [903.1](#)(1)(a).

⁴²⁷⁸ See Iowa Code § [907.3](#).

⁴²⁷⁹ Iowa Code § [903.1](#)(1)(a).

⁴²⁸⁰ Iowa Code § [903.1](#)(1)(a).

⁴²⁸¹ Iowa Code § [903.1](#)(1).

⁴²⁸² Iowa Code § [911.1](#)(1).

§ 723.5—Disorderly Conduct at a Funeral or Memorial Service

§ 723.5(3)(a)—First offense

Class = simple misdemeanor⁴²⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 Days ⁴²⁸⁴	0 ⁴²⁸⁵	N/A	Yes ⁴²⁸⁶

Fines

Max.	Min.	Can Suspend?
\$625 ⁴²⁸⁷	\$65 ⁴²⁸⁸	No ⁴²⁸⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁹⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴²⁸³ Iowa Code § [723.5](#)(3)(a).

⁴²⁸⁴ Iowa Code § [903.1](#)(1)(a).

⁴²⁸⁵ Iowa Code § [903.1](#)(1)(a).

⁴²⁸⁶ See Iowa Code § [907.3](#).

⁴²⁸⁷ Iowa Code § [903.1](#)(1)(a).

⁴²⁸⁸ Iowa Code § [903.1](#)(1)(a).

⁴²⁸⁹ Iowa Code § [903.1](#)(1).

⁴²⁹⁰ Iowa Code § [911.1](#)(1).

§ 723.5(3)(b)—Second offense

Class = serious misdemeanor⁴²⁹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 Year ⁴²⁹²	0 ⁴²⁹³	N/A	Yes ⁴²⁹⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴²⁹⁵	\$315 ⁴²⁹⁶	No ⁴²⁹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴²⁹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴²⁹¹ Iowa Code § [723.5](#)(3)(b).

⁴²⁹² Iowa Code § [903.1](#)(1)(b).

⁴²⁹³ Iowa Code § [903.1](#)(1)(b).

⁴²⁹⁴ See Iowa Code § [907.3](#).

⁴²⁹⁵ Iowa Code § [903.1](#)(1)(b).

⁴²⁹⁶ Iowa Code § [903.1](#)(1)(b).

⁴²⁹⁷ Iowa Code § [903.1](#)(1).

⁴²⁹⁸ Iowa Code § [911.1](#)(1).

§ 723.5(3)(c)—Third or subsequent offense

Class = “D” felony⁴²⁹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³⁰⁰	0 ⁴³⁰¹	No, but see Enhancements	Yes ⁴³⁰²

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³⁰³	\$750 ⁴³⁰⁴	Yes ⁴³⁰⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁰⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁰⁷	No	No

Notes:

⁴²⁹⁹ Iowa Code § [723.5\(3\)\(c\)](#).

⁴³⁰⁰ Iowa Code § [902.9\(1\)\(e\)](#).

⁴³⁰¹ Iowa Code § [902.9\(1\)\(e\)](#).

⁴³⁰² See Iowa Code § [907.3](#).

⁴³⁰³ Iowa Code § [902.9\(1\)\(e\)](#).

⁴³⁰⁴ Iowa Code § [902.9\(1\)\(e\)](#).

⁴³⁰⁵ See Iowa Code § [902.9\(1\)\(e\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁰⁶ Iowa Code § [911.1\(1\)](#).

⁴³⁰⁷ Iowa Code §§ [81.2](#), [901.5\(8A\)\(a\)](#).

Ch. [723A](#) Criminal Street Gangs

[§ 723A.2—Criminal Gang Participation](#)

Class = “D” felony⁴³⁰⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³⁰⁹	0 ⁴³¹⁰	No, but see Enhancements	Yes ⁴³¹¹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³¹²	\$750 ⁴³¹³	Yes ⁴³¹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³¹⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³¹⁶	No	No

Notes:

⁴³⁰⁸ Iowa Code § [723A.2](#).

⁴³⁰⁹ Iowa Code § [902.9](#)(1)(e).

⁴³¹⁰ Iowa Code § [902.9](#)(1)(e).

⁴³¹¹ See Iowa Code § [907.3](#).

⁴³¹² Iowa Code § [902.9](#)(1)(e).

⁴³¹³ Iowa Code § [902.9](#)(1)(e).

⁴³¹⁴ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³¹⁵ Iowa Code § [911.1](#)(1).

⁴³¹⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 723A.3—Gang Recruitment

§ 723A.3(1)—Recruitment of a minor

Class = “C” felony⁴³¹⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴³¹⁸	0 ⁴³¹⁹	No, but see Enhancements	Yes ⁴³²⁰

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴³²¹	\$1000 ⁴³²²	Yes ⁴³²³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³²⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³²⁵	No	No

Notes:

⁴³¹⁷ Iowa Code § [723A.3](#)(1).

⁴³¹⁸ Iowa Code § [902.9](#)(1)(d).

⁴³¹⁹ Iowa Code § [902.9](#)(1)(d).

⁴³²⁰ See Iowa Code § [907.3](#).

⁴³²¹ Iowa Code § [902.9](#)(1)(d).

⁴³²² Iowa Code § [902.9](#)(1)(d).

⁴³²³ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³²⁴ Iowa Code § [911.1](#)(1).

⁴³²⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 723A.3(2)—Conspiracy to recruit a minor

Class = “D” felony⁴³²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³²⁷	0 ⁴³²⁸	No, but see Enhancements	Yes ⁴³²⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³³⁰	\$750 ⁴³³¹	Yes ⁴³³²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³³³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³³⁴	No	No

Notes:

⁴³²⁶ Iowa Code § [723A.3](#)(2).

⁴³²⁷ Iowa Code § [902.9](#)(1)(e).

⁴³²⁸ Iowa Code § [902.9](#)(1)(e).

⁴³²⁹ See Iowa Code § [907.3](#).

⁴³³⁰ Iowa Code § [902.9](#)(1)(e).

⁴³³¹ Iowa Code § [902.9](#)(1)(e).

⁴³³² See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³³³ Iowa Code § [911.1](#)(1).

⁴³³⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

Ch. [724](#) Weapons

[§ 724.1B—Possession of Firearm Suppressor](#)

Class = “D” felony⁴³³⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³³⁶	0 ⁴³³⁷	No, but see Enhancements	Yes ⁴³³⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³³⁹	\$750 ⁴³⁴⁰	Yes ⁴³⁴¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁴²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁴³	No	No

Notes:

⁴³³⁵ Iowa Code § [724.1B](#)(2) (Supp. 2016).

⁴³³⁶ Iowa Code § [902.9](#)(1)(e).

⁴³³⁷ Iowa Code § [902.9](#)(1)(e).

⁴³³⁸ See Iowa Code § [907.3](#).

⁴³³⁹ Iowa Code § [902.9](#)(1)(e).

⁴³⁴⁰ Iowa Code § [902.9](#)(1)(e).

⁴³⁴¹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁴² Iowa Code § [911.1](#)(1).

⁴³⁴³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.1C—Possession of Short-Barreled Rifle or Short-Barreled Shotgun

Class = “D” felony

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³⁴⁴	0 ⁴³⁴⁵	No, but see Enhancements	Yes ⁴³⁴⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³⁴⁷	\$750 ⁴³⁴⁸	Yes ⁴³⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁵⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁵¹	No	No

Notes:

⁴³⁴⁴ Iowa Code § [902.9](#)(1)(e).

⁴³⁴⁵ Iowa Code § [902.9](#)(1)(e).

⁴³⁴⁶ See Iowa Code § [907.3](#).

⁴³⁴⁷ Iowa Code § [902.9](#)(1)(e).

⁴³⁴⁸ Iowa Code § [902.9](#)(1)(e).

⁴³⁴⁹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁵⁰ Iowa Code § [911.1](#)(1).

⁴³⁵¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.3—Unauthorized Possession of Offensive Weapon

Class = “D” felony⁴³⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴³⁵³	0 ⁴³⁵⁴	No, but see Enhancements	Yes ⁴³⁵⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴³⁵⁶	\$750 ⁴³⁵⁷	Yes ⁴³⁵⁸

❖ Fine is doubled if possession was in weapons free zone⁴³⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁶⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁶¹	No	No

Notes:

⁴³⁵² Iowa Code § [724.3](#).

⁴³⁵³ Iowa Code § [902.9](#)(1)(e).

⁴³⁵⁴ Iowa Code § [902.9](#)(1)(e).

⁴³⁵⁵ See Iowa Code § [907.3](#).

⁴³⁵⁶ Iowa Code § [902.9](#)(1)(e).

⁴³⁵⁷ Iowa Code § [902.9](#)(1)(e).

⁴³⁵⁸ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁵⁹ Iowa Code § [724.4A](#)(2).

⁴³⁶⁰ Iowa Code § [911.1](#)(1).

⁴³⁶¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.4—Carrying Weapons

§ 724.4(1)—Concealed dangerous weapon; armed with pistol, revolver, or loaded firearm; or carries or transports pistol or revolver

Class = aggravated misdemeanor⁴³⁶²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴³⁶³	0 ⁴³⁶⁴	None	Yes ⁴³⁶⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴³⁶⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴³⁶⁷	\$625 ⁴³⁶⁸	Yes ⁴³⁶⁹

❖ Fine is doubled if possession was in weapons free zone⁴³⁷⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁷¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁷²	No	No

Notes:

⁴³⁶² Iowa Code § [724.4\(1\)](#).

⁴³⁶³ Iowa Code § [903.1\(2\)](#).

⁴³⁶⁴ Iowa Code § [903.1\(2\)](#).

⁴³⁶⁵ See Iowa Code § [907.3](#), unnum. para..

⁴³⁶⁶ Iowa Code § [903.1\(2\)](#).

⁴³⁶⁷ Iowa Code § [903.1\(2\)](#).

⁴³⁶⁸ Iowa Code § [903.1\(2\)](#).

⁴³⁶⁹ See Iowa Code § [903.1\(2\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁷⁰ Iowa Code § [724.4A\(2\)](#).

⁴³⁷¹ Iowa Code § [911.1\(1\)](#).

⁴³⁷² Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

§ 724.4(2)—Concealed knife used in commission of a crime

Class = aggravated misdemeanor⁴³⁷³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴³⁷⁴	0 ⁴³⁷⁵	None	Yes ⁴³⁷⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴³⁷⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴³⁷⁸	\$625 ⁴³⁷⁹	Yes ⁴³⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁸¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁸²	No	No

Notes:

⁴³⁷³ Iowa Code § 724.4(2).

⁴³⁷⁴ Iowa Code § 903.1(2).

⁴³⁷⁵ Iowa Code § 903.1(2).

⁴³⁷⁶ See Iowa Code § 907.3, unnum. para..

⁴³⁷⁷ Iowa Code § 903.1(2).

⁴³⁷⁸ Iowa Code § 903.1(2).

⁴³⁷⁹ Iowa Code § 903.1(2).

⁴³⁸⁰ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁸¹ Iowa Code § 911.1(1).

⁴³⁸² Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.4(3)—Concealed knife not used in commission of a crime

§ 724.4(3)(a)—Blade exceeds 8 inches in length

Class = aggravated misdemeanor⁴³⁸³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴³⁸⁴	0 ⁴³⁸⁵	None	Yes ⁴³⁸⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴³⁸⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴³⁸⁸	\$625 ⁴³⁸⁹	Yes ⁴³⁹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴³⁹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴³⁹²	No	No

Notes:

⁴³⁸³ Iowa Code § 724.4(3)(a).

⁴³⁸⁴ Iowa Code § 903.1(2).

⁴³⁸⁵ Iowa Code § 903.1(2).

⁴³⁸⁶ See Iowa Code § 907.3, unnum. para..

⁴³⁸⁷ Iowa Code § 903.1(2).

⁴³⁸⁸ Iowa Code § 903.1(2).

⁴³⁸⁹ Iowa Code § 903.1(2).

⁴³⁹⁰ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴³⁹¹ Iowa Code § 911.1(1).

⁴³⁹² Iowa Code §§ 81.2(1), 901.5(8A)(a).

§ 724.4(3)(b)—Blade exceeds 5 inches but less than 8 inches in lengthClass = serious misdemeanor⁴³⁹³**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴³⁹⁴	0 ⁴³⁹⁵	N/A	Yes ⁴³⁹⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴³⁹⁷	\$315 ⁴³⁹⁸	No ⁴³⁹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁰⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴³⁹³ Iowa Code § 724.4(3)(b).⁴³⁹⁴ Iowa Code § 903.1(1)(b).⁴³⁹⁵ Iowa Code § 903.1(1)(b).⁴³⁹⁶ See Iowa Code § 907.3.⁴³⁹⁷ Iowa Code § 903.1(1)(b).⁴³⁹⁸ Iowa Code § 903.1(1)(b).⁴³⁹⁹ Iowa Code § 903.1(1).⁴⁴⁰⁰ Iowa Code § 911.1(1).

§ 724.4(5)—Minor, concealed or not, dangerous weapon; armed with weapon that directs electric current, wave, or beam with high-voltage pulse

Class = simple misdemeanor⁴⁴⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴⁴⁰²	0 ⁴⁴⁰³	N/A	Yes ⁴⁴⁰⁴

Fines

Max.	Min.	Can Suspend?
\$625 ⁴⁴⁰⁵	\$65 ⁴⁴⁰⁶	No ⁴⁴⁰⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁰⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁴⁰¹ Iowa Code § 724.4(5) (new subsection added by 2018 Iowa Acts ch. 1117, § 2 to create new simple misdemeanor offense for minors, effective 7/1/2018).

⁴⁴⁰² Iowa Code § 903.1(1)(a).

⁴⁴⁰³ Iowa Code § 903.1(1)(a).

⁴⁴⁰⁴ See Iowa Code 907.3.

⁴⁴⁰⁵ Iowa Code § 903.1(1)(a).

⁴⁴⁰⁶ Iowa Code § 903.1(1)(a).

⁴⁴⁰⁷ Iowa Code § 903.1(1).

⁴⁴⁰⁸ Iowa Code § 911.1(1).

§ 724.4B—Carrying Firearm on School Grounds

Class = “D” felony⁴⁴⁰⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴¹⁰	0 ⁴⁴¹¹	No, but see Enhancements	Yes ⁴⁴¹²

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴¹³	\$750 ⁴⁴¹⁴	Yes ⁴⁴¹⁵

❖ Fine is doubled if possession was in weapons free zone⁴⁴¹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴¹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴¹⁸	No	No

Notes:

⁴⁴⁰⁹ Iowa Code § [724.4B](#)(1).

⁴⁴¹⁰ Iowa Code § [902.9](#)(1)(e).

⁴⁴¹¹ Iowa Code § [902.9](#)(1)(e).

⁴⁴¹² See Iowa Code § [907.3](#).

⁴⁴¹³ Iowa Code § [902.9](#)(1)(e).

⁴⁴¹⁴ Iowa Code § [902.9](#)(1)(e).

⁴⁴¹⁵ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴¹⁶ Iowa Code § [724.4A](#)(2).

⁴⁴¹⁷ Iowa Code § [911.1](#)(1).

⁴⁴¹⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.4C—Possessing or Carrying Dangerous Weapons While Under the Influence

Class = serious misdemeanor⁴⁴¹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁴²⁰	0 ⁴⁴²¹	N/A	Yes ⁴⁴²²

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁴²³	\$315 ⁴⁴²⁴	No ⁴⁴²⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴²⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁴¹⁹ Iowa Code § 724.4C.

⁴⁴²⁰ Iowa Code § 903.1(1)(b).

⁴⁴²¹ Iowa Code § 903.1(1)(b).

⁴⁴²² See Iowa Code § 907.3.

⁴⁴²³ Iowa Code § 903.1(1)(b).

⁴⁴²⁴ Iowa Code § 903.1(1)(b).

⁴⁴²⁵ Iowa Code § 903.1(1).

⁴⁴²⁶ Iowa Code § 911.1(1).

§ 724.5—Failure to Produce Permit

Class = simple misdemeanor⁴⁴²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴⁴²⁸	0 ⁴⁴²⁹	N/A	Yes ⁴⁴³⁰

Fines

Max.	Min.	Can Suspend?
\$625 ⁴⁴³¹	\$65 ⁴⁴³²	No ⁴⁴³³ But see Notes

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

- Exception: “A person charged with a violation of subsection 1 who produces to the clerk of the district court prior to the date of the person’s court appearance that the person possesses a valid permit to carry weapons which was valid at the time of the alleged offense, shall not be convicted of a violation of subsection 1 and the charge shall be dismissed by the court.”⁴⁴³⁵

⁴⁴²⁷ Iowa Code § [724.5](#).

⁴⁴²⁸ Iowa Code § [903.1](#)(1)(a).

⁴⁴²⁹ Iowa Code § [903.1](#)(1)(a).

⁴⁴³⁰ See Iowa Code [907.3](#).

⁴⁴³¹ Iowa Code § [903.1](#)(1)(a).

⁴⁴³² Iowa Code § [903.1](#)(1)(a).

⁴⁴³³ Iowa Code § [903.1](#)(1).

⁴⁴³⁴ Iowa Code § [911.1](#)(1).

⁴⁴³⁵ Iowa Code § [724.5](#)(2).

§ 724.10—False Information Provided in Application for Weapons Permit

Class = “D” felony⁴⁴³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴³⁷	0 ⁴⁴³⁸	No, but see Enhancements	Yes ⁴⁴³⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴⁴⁰	\$750 ⁴⁴⁴¹	Yes ⁴⁴⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁴⁴	No	No

Notes:

⁴⁴³⁶ Iowa Code § [724.10](#)(3).

⁴⁴³⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁴³⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁴³⁹ See Iowa Code § [907.3](#).

⁴⁴⁴⁰ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁴¹ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁴² See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴⁴³ Iowa Code § [911.1](#)(1).

⁴⁴⁴⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.16—Improper Ownership or Transfer of Pistol or Revolver

§ 724.16(1)—Ownership without valid permit

Class = aggravated misdemeanor⁴⁴⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁴⁴⁶	0 ⁴⁴⁴⁷	None	Yes ⁴⁴⁴⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁴⁴⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁴⁵⁰	\$625 ⁴⁴⁵¹	Yes ⁴⁴⁵²

❖ Fine is doubled if offense occurred in weapons free zone⁴⁴⁵³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁵⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁵⁵	No	No

Notes:

⁴⁴⁴⁵ Iowa Code § [724.16](#)(1).

⁴⁴⁴⁶ Iowa Code § [903.1](#)(2).

⁴⁴⁴⁷ Iowa Code § [903.1](#)(2).

⁴⁴⁴⁸ See Iowa Code § [907.3](#), unnum. para..

⁴⁴⁴⁹ Iowa Code § [903.1](#)(2).

⁴⁴⁵⁰ Iowa Code § [903.1](#)(2).

⁴⁴⁵¹ Iowa Code § [903.1](#)(2).

⁴⁴⁵² See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴⁵³ Iowa Code § [724.4A](#)(2).

⁴⁴⁵⁴ Iowa Code § [911.1](#)(1).

⁴⁴⁵⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.16(2)—Transfer of ownership

Class = “D” felony⁴⁴⁵⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴⁵⁷	0 ⁴⁴⁵⁸	No, but see Enhancements	Yes ⁴⁴⁵⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴⁶⁰	\$750 ⁴⁴⁶¹	Yes ⁴⁴⁶²

❖ Fine is doubled if offense occurred in weapons free zone⁴⁴⁶³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁶⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁶⁵	No	No

Notes:

⁴⁴⁵⁶ Iowa Code § [724.16](#)(1).

⁴⁴⁵⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁵⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁵⁹ See Iowa Code § [907.3](#).

⁴⁴⁶⁰ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁶¹ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁶² See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴⁶³ Iowa Code § [724.4A](#)(2).

⁴⁴⁶⁴ Iowa Code § [911.1](#)(1).

⁴⁴⁶⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.16A—Trafficking in Stolen Weapons

§ 724.16A(1)(a)—First offense

Class = “D” felony⁴⁴⁶⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴⁶⁷	0 ⁴⁴⁶⁸	No, but see Enhancements	Yes ⁴⁴⁶⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴⁷⁰	\$750 ⁴⁴⁷¹	Yes ⁴⁴⁷²

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁴⁷³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁷⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁷⁵	No	No

Notes:

⁴⁴⁶⁶ Iowa Code § [724.16A](#)(1)(a).

⁴⁴⁶⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁶⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁶⁹ See Iowa Code § [907.3](#).

⁴⁴⁷⁰ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁷¹ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁷² See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴⁷³ Iowa Code § [724.4A](#)(2).

⁴⁴⁷⁴ Iowa Code § [911.1](#)(1).

⁴⁴⁷⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.16A(1)(b)—Second or subsequent offense, or weapon used in commission of public offense

Class = “C” felony⁴⁴⁷⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁴⁷⁷	0 ⁴⁴⁷⁸	No, but see Enhancements	Yes ⁴⁴⁷⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁴⁸⁰	\$1000 ⁴⁴⁸¹	Yes ⁴⁴⁸²

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁴⁸³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁸⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁸⁵	No	No

Notes:

⁴⁴⁷⁶ Iowa Code § [724.16A](#)(1)(b).

⁴⁴⁷⁷ Iowa Code § [902.9](#)(1)(d).

⁴⁴⁷⁸ Iowa Code § [902.9](#)(1)(d).

⁴⁴⁷⁹ See Iowa Code [907.3](#).

⁴⁴⁸⁰ Iowa Code § [902.9](#)(1)(d).

⁴⁴⁸¹ Iowa Code § [902.9](#)(1)(d).

⁴⁴⁸² See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴⁸³ Iowa Code § [724.4A](#)(2).

⁴⁴⁸⁴ Iowa Code § [911.1](#)(1).

⁴⁴⁸⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.17—False Statement or Documentation in Application for Permit

Class = “D” felony⁴⁴⁸⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴⁸⁷	0 ⁴⁴⁸⁸	No, but see Enhancements	Yes ⁴⁴⁸⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴⁹⁰	\$750 ⁴⁴⁹¹	Yes ⁴⁴⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁴⁹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁴⁹⁴	No	No

Notes:

⁴⁴⁸⁶ Iowa Code § [724.17](#).

⁴⁴⁸⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁸⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁸⁹ See Iowa Code § [907.3](#).

⁴⁴⁹⁰ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁹¹ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁹² See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁴⁹³ Iowa Code § [911.1](#)(1).

⁴⁴⁹⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.21—Giving False Information when Acquiring Weapon

Class = “D” felony⁴⁴⁹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁴⁹⁶	0 ⁴⁴⁹⁷	No, but see Enhancements	Yes ⁴⁴⁹⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁴⁹⁹	\$750 ⁴⁵⁰⁰	Yes ⁴⁵⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁰²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁰³	No	No

Notes:

⁴⁴⁹⁵ Iowa Code § [724.21](#).

⁴⁴⁹⁶ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁹⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁴⁹⁸ See Iowa Code § [907.3](#).

⁴⁴⁹⁹ Iowa Code § [902.9](#)(1)(e).

⁴⁵⁰⁰ Iowa Code § [902.9](#)(1)(e).

⁴⁵⁰¹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵⁰² Iowa Code § [911.1](#)(1).

⁴⁵⁰³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.22—Sale, Loan, Gift, or Making Available to Person Under Age 21

§ 724.22(1)—Rifle, shotgun, or ammunition for rifle or shotgun

First Offense

Class = serious misdemeanor⁴⁵⁰⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁵⁰⁵	0 ⁴⁵⁰⁶	None	Yes ⁴⁵⁰⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁵⁰⁸	\$315 ⁴⁵⁰⁹	No ⁴⁵¹⁰

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁵¹¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵¹²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁵⁰⁴ Iowa Code § [724.22](#)(1).

⁴⁵⁰⁵ Iowa Code § [903.1](#)(1)(b).

⁴⁵⁰⁶ Iowa Code § [903.1](#)(1)(b).

⁴⁵⁰⁷ See Iowa Code § [907.3](#), unnum. para..

⁴⁵⁰⁸ Iowa Code § [903.1](#)(1)(b).

⁴⁵⁰⁹ Iowa Code § [903.1](#)(1)(b).

⁴⁵¹⁰ See Iowa Code § [903.1](#)(1).

⁴⁵¹¹ Iowa Code § [724.4A](#)(2).

⁴⁵¹² Iowa Code § [911.1](#)(1).

Second or Subsequent Offense

Class = “D” felony⁴⁵¹³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁵¹⁴	0 ⁴⁵¹⁵	No, but see Enhancements	Yes ⁴⁵¹⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁵¹⁷	\$750 ⁴⁵¹⁸	Yes ⁴⁵¹⁹

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁵²⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵²¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵²²	No	No

Notes:

⁴⁵¹³ Iowa Code § [724.22](#)(1).

⁴⁵¹⁴ Iowa Code § [902.9](#)(1)(e).

⁴⁵¹⁵ Iowa Code § [902.9](#)(1)(e).

⁴⁵¹⁶ See Iowa Code § [907.3](#).

⁴⁵¹⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁵¹⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁵¹⁹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵²⁰ Iowa Code § [724.4A](#)(2).

⁴⁵²¹ Iowa Code § [911.1](#)(1).

⁴⁵²² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.22(2)—Pistol, revolver, or ammunition for pistol or revolver

First Offense

Class = serious misdemeanor⁴⁵²³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁵²⁴	0 ⁴⁵²⁵	None	Yes ⁴⁵²⁶

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁵²⁷	\$315 ⁴⁵²⁸	No ⁴⁵²⁹

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁵³⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵³¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁵²³ Iowa Code § [724.22](#)(2).

⁴⁵²⁴ Iowa Code § [903.1](#)(1)(b).

⁴⁵²⁵ Iowa Code § [903.1](#)(1)(b).

⁴⁵²⁶ See Iowa Code § [907.3](#), unnum. para..

⁴⁵²⁷ Iowa Code § [903.1](#)(1)(b).

⁴⁵²⁸ Iowa Code § [903.1](#)(1)(b).

⁴⁵²⁹ See Iowa Code § [903.1](#)(1).

⁴⁵³⁰ Iowa Code § [724.4A](#)(2).

⁴⁵³¹ Iowa Code § [911.1](#)(1).

Second or Subsequent Offense

Class = “D” felony⁴⁵³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁵³³	0 ⁴⁵³⁴	No, but see Enhancements	Yes ⁴⁵³⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁵³⁶	\$750 ⁴⁵³⁷	Yes ⁴⁵³⁸

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁵³⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁴⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁴¹	No	No

Notes:

⁴⁵³² Iowa Code § [724.22](#)(2).

⁴⁵³³ Iowa Code § [902.9](#)(1)(e).

⁴⁵³⁴ Iowa Code § [902.9](#)(1)(e).

⁴⁵³⁵ See Iowa Code § [907.3](#).

⁴⁵³⁶ Iowa Code § [902.9](#)(1)(e).

⁴⁵³⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁵³⁸ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵³⁹ Iowa Code § [724.4A](#)(2).

⁴⁵⁴⁰ Iowa Code § [911.1](#)(1).

⁴⁵⁴¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.22(7)—Unlawful storage or leaving of loaded firearm

Class = serious misdemeanor⁴⁵⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁵⁴³	0 ⁴⁵⁴⁴	N/A	Yes ⁴⁵⁴⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁵⁴⁶	\$315 ⁴⁵⁴⁷	No ⁴⁵⁴⁸

❖ Fine is doubled if offense occurred in weapons free zone⁴⁵⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁵⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁵⁴² Iowa Code § [724.22](#)(7).

⁴⁵⁴³ Iowa Code § [903.1](#)(1)(b).

⁴⁵⁴⁴ Iowa Code § [903.1](#)(1)(b).

⁴⁵⁴⁵ See Iowa Code § [907.3](#), unnum. para..

⁴⁵⁴⁶ Iowa Code § [903.1](#)(1)(b).

⁴⁵⁴⁷ Iowa Code § [903.1](#)(1)(b).

⁴⁵⁴⁸ See Iowa Code § [903.1](#)(1).

⁴⁵⁴⁹ Iowa Code § [724.4A](#)(2).

⁴⁵⁵⁰ Iowa Code § [911.1](#)(1).

§ 724.26—Possession, Receipt, Transportation, or Dominion and Control by Felons and Others

§ 724.26(1)—Felon in possession or who receives, transports, or exercises dominion or control

Class = “D” felony⁴⁵⁵¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁵⁵²	0 ⁴⁵⁵³	No, but see Enhancements	Yes ⁴⁵⁵⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁵⁵⁵	\$750 ⁴⁵⁵⁶	Yes ⁴⁵⁵⁷

- ❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁵⁵⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁵⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁶⁰	No	No

Notes:

- ❖ for purposes of § [724.26](#), the term *felony* “means any offense punishable in the jurisdiction where it occurred by imprisonment for a term exceeding one year, but does not include any offense, other than an offense involving a firearm or explosive, classified as a misdemeanor under the laws of the state and punishable by a term of imprisonment of two years or less.”⁴⁵⁶¹

⁴⁵⁵¹ Iowa Code § [724.26](#)(1).

⁴⁵⁵² Iowa Code § [902.9](#)(1)(e).

⁴⁵⁵³ Iowa Code § [902.9](#)(1)(e).

⁴⁵⁵⁴ See Iowa Code § [907.3](#).

⁴⁵⁵⁵ Iowa Code § [902.9](#)(1)(e).

⁴⁵⁵⁶ Iowa Code § [902.9](#)(1)(e).

⁴⁵⁵⁷ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵⁵⁸ Iowa Code § [724.4A](#)(2).

⁴⁵⁵⁹ Iowa Code § [911.1](#)(1).

⁴⁵⁶⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁴⁵⁶¹ Iowa Code § 724.25(1).

§ 724.26(2)—Possession, shipment, transportation, or receipt by person subject to protective order under 18 U.S.C. § 922(g)(8) or who has been convicted of a misdemeanor crime of domestic violence under 18 U.S.C. § 922(g)(9)

Class = “D” felony⁴⁵⁶²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁵⁶³	0 ⁴⁵⁶⁴	No, but see Enhancements	Yes ⁴⁵⁶⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁵⁶⁶	\$750 ⁴⁵⁶⁷	Yes ⁴⁵⁶⁸

❖ Fine is doubled if offense involved a firearm or offensive weapon, and occurred in weapons free zone⁴⁵⁶⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁷⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁷¹	No	No

Notes:

- ❖ for purposes of § 724.26, the term *misdemeanor crime of domestic violence* “means an assault under section 708.1, subsection 2, paragraph “a” or “c”, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.”⁴⁵⁷²

⁴⁵⁶² Iowa Code § 724.26(2)(a).

⁴⁵⁶³ Iowa Code § 902.9(1)(e).

⁴⁵⁶⁴ Iowa Code § 902.9(1)(e).

⁴⁵⁶⁵ See Iowa Code § 907.3.

⁴⁵⁶⁶ Iowa Code § 902.9(1)(e).

⁴⁵⁶⁷ Iowa Code § 902.9(1)(e).

⁴⁵⁶⁸ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵⁶⁹ Iowa Code § 724.4A(2).

⁴⁵⁷⁰ Iowa Code § 911.1(1).

⁴⁵⁷¹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁴⁵⁷² Iowa Code § 724.26(2)(c).

§ 724.29—Selling or Offering for Sale Firearm Devices

Class = aggravated misdemeanor⁴⁵⁷³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁵⁷⁴	0 ⁴⁵⁷⁵	None	Yes ⁴⁵⁷⁶

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁵⁷⁷

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁵⁷⁸	\$625 ⁴⁵⁷⁹	Yes ⁴⁵⁸⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁸¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁸²	No	No

Notes:

⁴⁵⁷³ Iowa Code § [724.16](#)(1).

⁴⁵⁷⁴ Iowa Code § [903.1](#)(2).

⁴⁵⁷⁵ Iowa Code § [903.1](#)(2).

⁴⁵⁷⁶ See Iowa Code § [907.3](#), unnum. para..

⁴⁵⁷⁷ Iowa Code § [903.1](#)(2).

⁴⁵⁷⁸ Iowa Code § [903.1](#)(2).

⁴⁵⁷⁹ Iowa Code § [903.1](#)(2).

⁴⁵⁸⁰ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵⁸¹ Iowa Code § [911.1](#)(1).

⁴⁵⁸² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.29A—Fraudulent purchase of firearms or ammunition

§ 724.29A(2)—Knowing solicits, persuades, encourages, or entices

Class = “D” felony

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁵⁸³	0 ⁴⁵⁸⁴	None	Yes ⁴⁵⁸⁵

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁵⁸⁶	\$750 ⁴⁵⁸⁷	Yes ⁴⁵⁸⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁸⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁵⁹⁰	No	No

Notes:

⁴⁵⁸³ Iowa Code § [902.9](#)(1)(e).

⁴⁵⁸⁴ Iowa Code § [902.9](#)(1)(e).

⁴⁵⁸⁵ See Iowa Code § [907.3](#).

⁴⁵⁸⁶ Iowa Code § [902.9](#)(1)(e).

⁴⁵⁸⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁵⁸⁸ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵⁸⁹ Iowa Code § [911.1](#)(1).

⁴⁵⁹⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.29A(3)—Knowing provides materially false information

Class = “D” felony⁴⁵⁹¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁵⁹²	0 ⁴⁵⁹³	None	Yes ⁴⁵⁹⁴

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁵⁹⁵	\$315 ⁴⁵⁹⁶	No ⁴⁵⁹⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁵⁹⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁵⁹¹ Iowa Code § 724.29A(3).

⁴⁵⁹² Iowa Code § 902.9(1)(e).

⁴⁵⁹³ Iowa Code § 902.9(1)(e).

⁴⁵⁹⁴ See Iowa Code § 907.3.

⁴⁵⁹⁵ Iowa Code § 902.9(1)(e).

⁴⁵⁹⁶ Iowa Code § 902.9(1)(e).

⁴⁵⁹⁷ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁵⁹⁸ Iowa Code § 911.1(1).

§724.30—Reckless Use of a Firearm

§ 724.30(1)—Serious injury occurs

Class = “C” felony⁴⁵⁹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁶⁰⁰	0 ⁴⁶⁰¹	No, but see Enhancements	Yes ⁴⁶⁰²

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁶⁰³	\$1000 ⁴⁶⁰⁴	Yes ⁴⁶⁰⁵

❖ Fine is doubled if offense occurred in weapons free zone⁴⁶⁰⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁰⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁰⁸	No	No

Notes:

⁴⁵⁹⁹ Iowa Code § [724.30](#)(1).

⁴⁶⁰⁰ Iowa Code § [902.9](#)(1)(d).

⁴⁶⁰¹ Iowa Code § [902.9](#)(1)(d).

⁴⁶⁰² See Iowa Code [907.3](#).

⁴⁶⁰³ Iowa Code § [902.9](#)(1)(d).

⁴⁶⁰⁴ Iowa Code § [902.9](#)(1)(d).

⁴⁶⁰⁵ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁰⁶ Iowa Code § [724.4A](#)(2).

⁴⁶⁰⁷ Iowa Code § [911.1](#)(1).

⁴⁶⁰⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.30(2)—Bodily injury that is not serious injury occurs

Class = “D” felony⁴⁶⁰⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁶¹⁰	0 ⁴⁶¹¹	No, but see Enhancements	Yes ⁴⁶¹²

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁶¹³	\$750 ⁴⁶¹⁴	Yes ⁴⁶¹⁵

❖ Fine is doubled if offense occurred in weapons free zone⁴⁶¹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶¹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶¹⁸	No	No

Notes:

⁴⁶⁰⁹ Iowa Code § [724.30](#)(2).

⁴⁶¹⁰ Iowa Code § [902.9](#)(1)(e).

⁴⁶¹¹ Iowa Code § [902.9](#)(1)(e).

⁴⁶¹² See Iowa Code § [907.3](#).

⁴⁶¹³ Iowa Code § [902.9](#)(1)(e).

⁴⁶¹⁴ Iowa Code § [902.9](#)(1)(e).

⁴⁶¹⁵ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶¹⁶ Iowa Code § [724.4A](#)(2).

⁴⁶¹⁷ Iowa Code § [911.1](#)(1).

⁴⁶¹⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.30(3)—Property damage occurs without a serious injury or bodily injury occurring

Class = aggravated misdemeanor⁴⁶¹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁶²⁰	0 ⁴⁶²¹	None	Yes ⁴⁶²²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁶²³

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁶²⁴	\$625 ⁴⁶²⁵	Yes ⁴⁶²⁶

❖ Fine is doubled if offense occurred in weapons free zone⁴⁶²⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶²⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶²⁹	No	No

Notes:

⁴⁶¹⁹ Iowa Code § [724.30](#)(3).

⁴⁶²⁰ Iowa Code § [903.1](#)(2).

⁴⁶²¹ Iowa Code § [903.1](#)(2).

⁴⁶²² See Iowa Code § [907.3](#), unnum. para..

⁴⁶²³ Iowa Code § [903.1](#)(2).

⁴⁶²⁴ Iowa Code § [903.1](#)(2).

⁴⁶²⁵ Iowa Code § [903.1](#)(2).

⁴⁶²⁶ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶²⁷ Iowa Code § [724.4A](#)(2).

⁴⁶²⁸ Iowa Code § [911.1](#)(1).

⁴⁶²⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 724.30(4)—No injury to person or property damage occurs

Class = simple misdemeanor⁴⁶³⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴⁶³¹	0 ⁴⁶³²	N/A	Yes ⁴⁶³³

Fines

Max.	Min.	Can Suspend?
\$625 ⁴⁶³⁴	\$65 ⁴⁶³⁵	No ⁴⁶³⁶

❖ Fine is doubled if offense occurred in weapons free zone⁴⁶³⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶³⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁶³⁰ Iowa Code § [724.30](#)(4).

⁴⁶³¹ Iowa Code § [903.1](#)(1)(a).

⁴⁶³² Iowa Code § [903.1](#)(1)(a).

⁴⁶³³ See Iowa Code [907.3](#).

⁴⁶³⁴ Iowa Code § [903.1](#)(1)(a).

⁴⁶³⁵ Iowa Code § [903.1](#)(1)(a).

⁴⁶³⁶ Iowa Code § [903.1](#)(1).

⁴⁶³⁷ Iowa Code § [724.4A](#)(2).

⁴⁶³⁸ Iowa Code § [911.1](#)(1).

CH. 725 VICE

§ 725.1—Prostitution

§ 725.1(1)—Selling or offering for sale person's services as a partner in a sex act

Class = aggravated misdemeanor⁴⁶³⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁶⁴⁰	0 ⁴⁶⁴¹	None	Yes ⁴⁶⁴²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁶⁴³

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁶⁴⁴	\$625 ⁴⁶⁴⁵	Yes ⁴⁶⁴⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁴⁷	No	No	No	No	Yes ⁴⁶⁴⁸

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁴⁹	No	No

Notes:

- ❖ If offender is under 18:
- county attorney may elect to refer person to DHS for possible filing of petition alleging person is CINA, in lieu of filing petition alleging person has committed delinquent act⁴⁶⁵⁰
 - may expunge after 2 years, per § 725.1(1)(c).⁴⁶⁵¹

⁴⁶³⁹ Iowa Code § 725.1(1).

⁴⁶⁴⁰ Iowa Code § 903.1(2).

⁴⁶⁴¹ Iowa Code § 903.1(2).

⁴⁶⁴² See Iowa Code § 907.3, unnum. para..

⁴⁶⁴³ Iowa Code § 903.1(2).

⁴⁶⁴⁴ Iowa Code § 903.1(2).

⁴⁶⁴⁵ Iowa Code § 903.1(2).

⁴⁶⁴⁶ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁴⁷ Iowa Code § 911.1(1).

⁴⁶⁴⁸ Iowa Code § 911.3(1).

⁴⁶⁴⁹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁴⁶⁵⁰ Iowa Code § 725.1(1)(b).

⁴⁶⁵¹ Iowa Code § 725.1(1)(c).

§ 725.1(2)—Purchasing or offering to purchase another person's services as a partner in a sex act

§ 725.1(2)(a)—Seller is 18 years old or older

Class = aggravated misdemeanor⁴⁶⁵²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁶⁵³	0 ⁴⁶⁵⁴	None	Yes ⁴⁶⁵⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁶⁵⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁶⁵⁷	\$625 ⁴⁶⁵⁸	Yes ⁴⁶⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁶⁰	No	Yes, \$1000 ⁴⁶⁶¹	No	No	Yes ⁴⁶⁶²

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁶³	No	No

Notes:

⁴⁶⁵² Iowa Code § [725.1](#)(2)(a).

⁴⁶⁵³ Iowa Code § [903.1](#)(2).

⁴⁶⁵⁴ Iowa Code § [903.1](#)(2).

⁴⁶⁵⁵ See Iowa Code § [907.3](#), unnum. para..

⁴⁶⁵⁶ Iowa Code § [903.1](#)(2).

⁴⁶⁵⁷ Iowa Code § [903.1](#)(2).

⁴⁶⁵⁸ Iowa Code § [903.1](#)(2).

⁴⁶⁵⁹ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁶⁰ Iowa Code § [911.1](#)(1).

⁴⁶⁶¹ Iowa Code § [911.2A](#)(1).

⁴⁶⁶² Iowa Code § [911.3](#)(1).

⁴⁶⁶³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 725.1(2)(b)—Seller is under 18 years old

Class = “D” felony⁴⁶⁶⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁶⁶⁵	0 ⁴⁶⁶⁶	No, but see Enhancements	Yes ⁴⁶⁶⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁶⁶⁸	\$750 ⁴⁶⁶⁹	Yes ⁴⁶⁷⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁷¹	No	Yes, \$1000 ⁴⁶⁷²	No	No	Yes, \$125 ⁴⁶⁷³

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁷⁴	No	No

Notes:

⁴⁶⁶⁴ Iowa Code § [725.1](#)(2)(b).

⁴⁶⁶⁵ Iowa Code § [902.9](#)(1)(e).

⁴⁶⁶⁶ Iowa Code § [902.9](#)(1)(e).

⁴⁶⁶⁷ See Iowa Code § [907.3](#).

⁴⁶⁶⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁶⁶⁹ Iowa Code § [902.9](#)(1)(e).

⁴⁶⁷⁰ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁷¹ Iowa Code § [911.1](#)(1).

⁴⁶⁷² Iowa Code § [911.2A](#)(1).

⁴⁶⁷³ Iowa Code § [911.3](#)(1).

⁴⁶⁷⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 725.2—Pimping

§ 725.2(1)—Pimping

Class = “D” felony⁴⁶⁷⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁶⁷⁶	0 ⁴⁶⁷⁷	No, but see Enhancements	Yes ⁴⁶⁷⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁶⁷⁹	\$750 ⁴⁶⁸⁰	Yes ⁴⁶⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁸²	No	Yes, \$1000 ⁴⁶⁸³	No	No	Yes, \$125 ⁴⁶⁸⁴

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁸⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if⁴⁶⁸⁶:
 - offense was committed against a minor or otherwise involved a minor, *and*
 - determination is made that offense was sexually motivated per § [692A.126](#)
 - If yes, the offender shall be assessed a civil penalty of \$250⁴⁶⁸⁷

⁴⁶⁷⁵ Iowa Code § [725.2](#)(1).

⁴⁶⁷⁶ Iowa Code § [902.9](#)(1)(e).

⁴⁶⁷⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁶⁷⁸ See Iowa Code § [907.3](#).

⁴⁶⁷⁹ Iowa Code § [902.9](#)(1)(e).

⁴⁶⁸⁰ Iowa Code § [902.9](#)(1)(e).

⁴⁶⁸¹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁸² Iowa Code § [911.1](#)(1).

⁴⁶⁸³ Iowa Code § [911.2A](#)(1).

⁴⁶⁸⁴ Iowa Code § [911.3](#)(1).

⁴⁶⁸⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁴⁶⁸⁶ Iowa Code § [692A.102](#)(1)(a)(7).

⁴⁶⁸⁷ Iowa Code § [692A.110](#).

§ 725.2(2)—Prostitute is under 18 years old

Class = “C” felony⁴⁶⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁶⁸⁹	0 ⁴⁶⁹⁰	No, but see Enhancements	Yes ⁴⁶⁹¹

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁶⁹²	\$1000 ⁴⁶⁹³	Yes ⁴⁶⁹⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁶⁹⁵	No	Yes, \$1000 ⁴⁶⁹⁶	No	No	Yes, \$125 ⁴⁶⁹⁷

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁶⁹⁸	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if⁴⁶⁹⁹:
 - offense was committed against a minor or otherwise involved a minor, *and*
 - determination is made that offense was sexually motivated per § [692A.126](#)
 - If yes, the offender shall be assessed a civil penalty of \$250⁴⁷⁰⁰

⁴⁶⁸⁸ Iowa Code § [725.2\(2\)](#).

⁴⁶⁸⁹ Iowa Code § [902.9\(1\)\(d\)](#).

⁴⁶⁹⁰ Iowa Code § [902.9\(1\)\(d\)](#).

⁴⁶⁹¹ See Iowa Code [907.3](#).

⁴⁶⁹² Iowa Code § [902.9\(1\)\(d\)](#).

⁴⁶⁹³ Iowa Code § [902.9\(1\)\(d\)](#).

⁴⁶⁹⁴ See Iowa Code § [902.9\(1\)\(d\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁶⁹⁵ Iowa Code § [911.1\(1\)](#).

⁴⁶⁹⁶ Iowa Code § [911.2A\(1\)](#).

⁴⁶⁹⁷ Iowa Code § [911.3\(1\)](#).

⁴⁶⁹⁸ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

⁴⁶⁹⁹ Iowa Code § [692A.102\(1\)\(a\)\(7\)](#).

⁴⁷⁰⁰ Iowa Code § [692A.110](#).

§ 725.3—Pandering

§ 725.3(1)—Not involving a minor

Class = “D” felony⁴⁷⁰¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁷⁰²	0 ⁴⁷⁰³	No, but see Enhancements	Yes ⁴⁷⁰⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁷⁰⁵	\$750 ⁴⁷⁰⁶	Yes ⁴⁷⁰⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁰⁸	No	Yes, \$1000 ⁴⁷⁰⁹	No	No	Yes, \$125 ⁴⁷¹⁰

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷¹¹	Yes ⁴⁷¹² The offender shall be assessed a civil penalty of \$250 ⁴⁷¹³	No

Notes:

⁴⁷⁰¹ Iowa Code § [725.3](#)(1).

⁴⁷⁰² Iowa Code § [902.9](#)(1)(e).

⁴⁷⁰³ Iowa Code § [902.9](#)(1)(e).

⁴⁷⁰⁴ See Iowa Code § [907.3](#).

⁴⁷⁰⁵ Iowa Code § [902.9](#)(1)(e).

⁴⁷⁰⁶ Iowa Code § [902.9](#)(1)(e).

⁴⁷⁰⁷ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷⁰⁸ Iowa Code § [911.1](#)(1).

⁴⁷⁰⁹ Iowa Code § [911.2A](#)(1).

⁴⁷¹⁰ Iowa Code § [911.3](#)(1).

⁴⁷¹¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁴⁷¹² Iowa Code § [692A.102](#)(1)(b)(15).

⁴⁷¹³ Iowa Code § [692A.110](#).

§ 725.3(2)—Involving a minor

Class = “C” felony⁴⁷¹⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁷¹⁵	0 ⁴⁷¹⁶	No, but violation of § 725.3(2) is a SPO ⁴⁷¹⁷ and a SVO, ⁴⁷¹⁸ so see Enhancements	Yes ⁴⁷¹⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁷²⁰	\$1000 ⁴⁷²¹	Yes ⁴⁷²²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷²³	No	Yes, \$1000 ⁴⁷²⁴	No	No	Yes, \$125 ⁴⁷²⁵

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷²⁶	Yes ⁴⁷²⁷ The offender shall be assessed a civil penalty of \$250 ⁴⁷²⁸	No

Notes:

⁴⁷¹⁴ Iowa Code § 725.3(2).

⁴⁷¹⁵ Iowa Code § 902.9(1)(d).

⁴⁷¹⁶ Iowa Code § 902.9(1)(d).

⁴⁷¹⁷ Iowa Code § 229A.2 (1)(d).

⁴⁷¹⁸ Iowa Code § 229A.2(11)(d); *see id.* § 229A.2(3) (indicating the definition of sexually violent offense is the same as in § 229A.2).

⁴⁷¹⁹ *See* Iowa Code 907.3.

⁴⁷²⁰ Iowa Code § 902.9(1)(d).

⁴⁷²¹ Iowa Code § 902.9(1)(d).

⁴⁷²² *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷²³ Iowa Code § 911.1(1).

⁴⁷²⁴ Iowa Code § 911.2A(1).

⁴⁷²⁵ Iowa Code § 911.3(1).

⁴⁷²⁶ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁴⁷²⁷ Iowa Code 692A.102(1)(b)(15); *see id.* § 692A.102(1)(a)(8) (also requiring registration if determination is made offense was sexually motivated per § 692A.126).

⁴⁷²⁸ Iowa Code § 692A.110.

§ 725.4—Leasing Premises for Prostitution

Class = serious misdemeanor⁴⁷²⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁷³⁰	0 ⁴⁷³¹	N/A	Yes ⁴⁷³²

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁷³³	\$315 ⁴⁷³⁴	No ⁴⁷³⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷³⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁷²⁹ Iowa Code § [725.4](#).

⁴⁷³⁰ Iowa Code § [903.1](#)(1)(b).

⁴⁷³¹ Iowa Code § [903.1](#)(1)(b).

⁴⁷³² See Iowa Code § [907.3](#).

⁴⁷³³ Iowa Code § [903.1](#)(1)(b).

⁴⁷³⁴ Iowa Code § [903.1](#)(1)(b).

⁴⁷³⁵ Iowa Code § [903.1](#)(1).

⁴⁷³⁶ Iowa Code § [911.1](#)(1).

§ 725.5—Keeping Gambling House

Class = serious misdemeanor⁴⁷³⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁷³⁸	0 ⁴⁷³⁹	N/A	Yes ⁴⁷⁴⁰

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁷⁴¹	\$315 ⁴⁷⁴²	No ⁴⁷⁴³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁴⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁷³⁷ Iowa Code § 725.5.

⁴⁷³⁸ Iowa Code § 903.1(1)(b).

⁴⁷³⁹ Iowa Code § 903.1(1)(b).

⁴⁷⁴⁰ See Iowa Code § 907.3.

⁴⁷⁴¹ Iowa Code § 903.1(1)(b).

⁴⁷⁴² Iowa Code § 903.1(1)(b).

⁴⁷⁴³ Iowa Code § 903.1(1).

⁴⁷⁴⁴ Iowa Code § 911.1(1).

§ 725.7—Illegal Gambling

§ 725.7(2)(a)—Fourth-degree illegal gambling

§ 725.7(2)(a)(1)—First offense

Class = serious misdemeanor⁴⁷⁴⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁷⁴⁶	0 ⁴⁷⁴⁷	N/A	Yes ⁴⁷⁴⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁷⁴⁹	\$315 ⁴⁷⁵⁰	No ⁴⁷⁵¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁵²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

- ❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁷⁵³

⁴⁷⁴⁵ Iowa Code § 725.7(2)(a)(1).

⁴⁷⁴⁶ Iowa Code § 903.1(1)(b).

⁴⁷⁴⁷ Iowa Code § 903.1(1)(b).

⁴⁷⁴⁸ See Iowa Code § 907.3.

⁴⁷⁴⁹ Iowa Code § 903.1(1)(b).

⁴⁷⁵⁰ Iowa Code § 903.1(1)(b).

⁴⁷⁵¹ Iowa Code § 903.1(1).

⁴⁷⁵² Iowa Code § 911.1(1).

⁴⁷⁵³ Iowa Code § 725.8.

§ 725.7(2)(a)(2)—Second offense

Class = aggravated misdemeanor⁴⁷⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁷⁵⁵	0 ⁴⁷⁵⁶	None	Yes ⁴⁷⁵⁷

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁷⁵⁸

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁷⁵⁹	\$625 ⁴⁷⁶⁰	Yes ⁴⁷⁶¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁶²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No ⁴⁷⁶³	No	No

Notes:

❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁷⁶⁴

⁴⁷⁵⁴ Iowa Code § 725.7(2)(a)(2).

⁴⁷⁵⁵ Iowa Code § 903.1(2).

⁴⁷⁵⁶ Iowa Code § 903.1(2).

⁴⁷⁵⁷ See Iowa Code § 907.3, unnum. para..

⁴⁷⁵⁸ Iowa Code § 903.1(2).

⁴⁷⁵⁹ Iowa Code § 903.1(2).

⁴⁷⁶⁰ Iowa Code § 903.1(2).

⁴⁷⁶¹ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷⁶² Iowa Code § 911.1(1).

⁴⁷⁶³ Iowa Code § 81.1(1)(e).

⁴⁷⁶⁴ Iowa Code § 725.8.

§ 725.7(2)(a)(3)—Third offense

Class = “D” felony⁴⁷⁶⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁷⁶⁶	0 ⁴⁷⁶⁷	No, but see Enhancements	Yes ⁴⁷⁶⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁷⁶⁹	\$750 ⁴⁷⁷⁰	Yes ⁴⁷⁷¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁷²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷⁷³	No	No

Notes:

- ❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁷⁷⁴

⁴⁷⁶⁵ Iowa Code § 725.7(2)(a)(3).

⁴⁷⁶⁶ Iowa Code § 902.9(1)(e).

⁴⁷⁶⁷ Iowa Code § 902.9(1)(e).

⁴⁷⁶⁸ See Iowa Code § 907.3.

⁴⁷⁶⁹ Iowa Code § 902.9(1)(e).

⁴⁷⁷⁰ Iowa Code § 902.9(1)(e).

⁴⁷⁷¹ See Iowa Code § 902.9(1)(e); State v. Ayers, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷⁷² Iowa Code § 911.1(1).

⁴⁷⁷³ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁴⁷⁷⁴ Iowa Code § 725.8.

§ 725.7(2)(a)(4)—Fourth or subsequent offense

Class = “C” felony⁴⁷⁷⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁷⁷⁶	0 ⁴⁷⁷⁷	No, but see Enhancements	Yes ⁴⁷⁷⁸

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁷⁷⁹	\$1000 ⁴⁷⁸⁰	Yes ⁴⁷⁸¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁸²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁷⁸³	No	No

Notes:

- ❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁷⁸⁴

⁴⁷⁷⁵ Iowa Code § 725.7(2)(a)(4).

⁴⁷⁷⁶ Iowa Code § 902.9(1)(d).

⁴⁷⁷⁷ Iowa Code § 902.9(1)(d).

⁴⁷⁷⁸ See Iowa Code 907.3.

⁴⁷⁷⁹ Iowa Code § 902.9(1)(d).

⁴⁷⁸⁰ Iowa Code § 902.9(1)(d).

⁴⁷⁸¹ See Iowa Code § 902.9(1)(d); State v. Ayers, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷⁸² Iowa Code § 911.1(1).

⁴⁷⁸³ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁴⁷⁸⁴ Iowa Code § 725.8.

§ 725.7(2)(b)—Third-degree illegal gambling

§ 725.7(2)(b)(1)—First offense

Class = aggravated misdemeanor⁴⁷⁸⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁷⁸⁶	0 ⁴⁷⁸⁷	None	Yes ⁴⁷⁸⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁷⁸⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁷⁹⁰	\$625 ⁴⁷⁹¹	Yes ⁴⁷⁹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁷⁹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No ⁴⁷⁹⁴	No	No

Notes:

❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁷⁹⁵

⁴⁷⁸⁵ Iowa Code § 725.7(2)(b)(1).

⁴⁷⁸⁶ Iowa Code § 903.1(2).

⁴⁷⁸⁷ Iowa Code § 903.1(2).

⁴⁷⁸⁸ See Iowa Code § 907.3, unnum. para..

⁴⁷⁸⁹ Iowa Code § 903.1(2).

⁴⁷⁹⁰ Iowa Code § 903.1(2).

⁴⁷⁹¹ Iowa Code § 903.1(2).

⁴⁷⁹² See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁷⁹³ Iowa Code § 911.1(1).

⁴⁷⁹⁴ Iowa Code § 81.1(1)(e).

⁴⁷⁹⁵ Iowa Code § 725.8.

§ 725.7(2)(b)(2)—Second offense

Class = “D” felony⁴⁷⁹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁷⁹⁷	0 ⁴⁷⁹⁸	No, but see Enhancements	Yes ⁴⁷⁹⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁸⁰⁰	\$750 ⁴⁸⁰¹	Yes ⁴⁸⁰²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁰³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸⁰⁴	No	No

Notes:

- ❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁸⁰⁵

⁴⁷⁹⁶ Iowa Code § 725.7(2)(b)(2).

⁴⁷⁹⁷ Iowa Code § 902.9(1)(e).

⁴⁷⁹⁸ Iowa Code § 902.9(1)(e).

⁴⁷⁹⁹ See Iowa Code § 907.3.

⁴⁸⁰⁰ Iowa Code § 902.9(1)(e).

⁴⁸⁰¹ Iowa Code § 902.9(1)(e).

⁴⁸⁰² See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁰³ Iowa Code § 911.1(1).

⁴⁸⁰⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁴⁸⁰⁵ Iowa Code § 725.8.

§ 725.7(2)(b)(3)—Third or subsequent offense

Class = “C” felony⁴⁸⁰⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁸⁰⁷	0 ⁴⁸⁰⁸	No, but see Enhancements	Yes ⁴⁸⁰⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁸¹⁰	\$1000 ⁴⁸¹¹	Yes ⁴⁸¹²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸¹³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸¹⁴	No	No

Notes:

- ❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁸¹⁵

⁴⁸⁰⁶ Iowa Code § 725.7(2)(b)(3).

⁴⁸⁰⁷ Iowa Code § 902.9(1)(d).

⁴⁸⁰⁸ Iowa Code § 902.9(1)(d).

⁴⁸⁰⁹ See Iowa Code 907.3.

⁴⁸¹⁰ Iowa Code § 902.9(1)(d).

⁴⁸¹¹ Iowa Code § 902.9(1)(d).

⁴⁸¹² See Iowa Code § 902.9(1)(d); State v. Ayers, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸¹³ Iowa Code § 911.1(1).

⁴⁸¹⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁴⁸¹⁵ Iowa Code § 725.8.

§ 725.7(2)(c)—Second-degree illegal gambling**§ 726.7(2)(c)(1)—First offense**Class = “D” felony⁴⁸¹⁶**Jail/Prison Time**

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁸¹⁷	0 ⁴⁸¹⁸	No, but see Enhancements	Yes ⁴⁸¹⁹

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁸²⁰	\$750 ⁴⁸²¹	Yes ⁴⁸²²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸²⁴	No	No

Notes:

- ❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁸²⁵

⁴⁸¹⁶ Iowa Code § 725.7(2)(c)(1).

⁴⁸¹⁷ Iowa Code § 902.9(1)(e).

⁴⁸¹⁸ Iowa Code § 902.9(1)(e).

⁴⁸¹⁹ See Iowa Code § 907.3.

⁴⁸²⁰ Iowa Code § 902.9(1)(e).

⁴⁸²¹ Iowa Code § 902.9(1)(e).

⁴⁸²² See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸²³ Iowa Code § 911.1(1).

⁴⁸²⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁴⁸²⁵ Iowa Code § 725.8.

§ 725.7(2)(c)(2)—Second or subsequent offense

Class = “C” felony⁴⁸²⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁸²⁷	0 ⁴⁸²⁸	No, but see Enhancements	Yes ⁴⁸²⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁸³⁰	\$1000 ⁴⁸³¹	Yes ⁴⁸³²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸³³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸³⁴	No	No

Notes:

- ❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁸³⁵

⁴⁸²⁶ Iowa Code § 725.7(2)(c)(2).

⁴⁸²⁷ Iowa Code § 902.9(1)(d).

⁴⁸²⁸ Iowa Code § 902.9(1)(d).

⁴⁸²⁹ See Iowa Code 907.3.

⁴⁸³⁰ Iowa Code § 902.9(1)(d).

⁴⁸³¹ Iowa Code § 902.9(1)(d).

⁴⁸³² See Iowa Code § 902.9(1)(d); State v. Ayers, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸³³ Iowa Code § 911.1(1).

⁴⁸³⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁴⁸³⁵ Iowa Code § 725.8.

§ 725.7(2)(d)—First-degree illegal gambling

Class = “C” felony⁴⁸³⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁸³⁷	0 ⁴⁸³⁸	No, but see Enhancements	Yes ⁴⁸³⁹

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁸⁴⁰	\$1000 ⁴⁸⁴¹	Yes ⁴⁸⁴²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁴³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸⁴⁴	No	No

Notes:

- ❖ violation of § 725.7 may result in forfeiture proceedings under chapter 809⁴⁸⁴⁵

⁴⁸³⁶ Iowa Code § 725.7(2)(d).

⁴⁸³⁷ Iowa Code § 902.9(1)(d).

⁴⁸³⁸ Iowa Code § 902.9(1)(d).

⁴⁸³⁹ See Iowa Code 907.3.

⁴⁸⁴⁰ Iowa Code § 902.9(1)(d).

⁴⁸⁴¹ Iowa Code § 902.9(1)(d).

⁴⁸⁴² See Iowa Code § 902.9(1)(d); State v. Ayers, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁴³ Iowa Code § 911.1(1).

⁴⁸⁴⁴ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁴⁸⁴⁵ Iowa Code § 725.8.

§ 725.9—Possession of Gambling Devices

Class = serious misdemeanor⁴⁸⁴⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁸⁴⁷	0 ⁴⁸⁴⁸	N/A	Yes ⁴⁸⁴⁹

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁸⁵⁰	\$315 ⁴⁸⁵¹	No ⁴⁸⁵²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁵³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁸⁴⁶ Iowa Code § 725.9(3).

⁴⁸⁴⁷ Iowa Code § 903.1(1)(b).

⁴⁸⁴⁸ Iowa Code § 903.1(1)(b).

⁴⁸⁴⁹ See Iowa Code § 907.3.

⁴⁸⁵⁰ Iowa Code § 903.1(1)(b).

⁴⁸⁵¹ Iowa Code § 903.1(1)(b).

⁴⁸⁵² Iowa Code § 903.1(1).

⁴⁸⁵³ Iowa Code § 911.1(1).

§ 725.10—Pool Selling

Class = serious misdemeanor⁴⁸⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁸⁵⁵	0 ⁴⁸⁵⁶	N/A	Yes ⁴⁸⁵⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁸⁵⁸	\$315 ⁴⁸⁵⁹	No ⁴⁸⁶⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁶¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁸⁵⁴ Iowa Code § [725.10](#).

⁴⁸⁵⁵ Iowa Code § [903.1](#)(1)(b).

⁴⁸⁵⁶ Iowa Code § [903.1](#)(1)(b).

⁴⁸⁵⁷ See Iowa Code § [907.3](#).

⁴⁸⁵⁸ Iowa Code § [903.1](#)(1)(b).

⁴⁸⁵⁹ Iowa Code § [903.1](#)(1)(b).

⁴⁸⁶⁰ Iowa Code § [903.1](#)(1).

⁴⁸⁶¹ Iowa Code § [911.1](#)(1).

§ 725.12—Unlawful Lotteries and Possession of Lottery Tickets

Class = serious misdemeanor⁴⁸⁶²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁸⁶³	0 ⁴⁸⁶⁴	N/A	Yes ⁴⁸⁶⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁸⁶⁶	\$315 ⁴⁸⁶⁷	No ⁴⁸⁶⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁶⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁸⁶² Iowa Code § [725.12](#)(1).

⁴⁸⁶³ Iowa Code § [903.1](#)(1)(b).

⁴⁸⁶⁴ Iowa Code § [903.1](#)(1)(b).

⁴⁸⁶⁵ See Iowa Code § [907.3](#).

⁴⁸⁶⁶ Iowa Code § [903.1](#)(1)(b).

⁴⁸⁶⁷ Iowa Code § [903.1](#)(1)(b).

⁴⁸⁶⁸ Iowa Code § [903.1](#)(1).

⁴⁸⁶⁹ Iowa Code § [911.1](#)(1).

§ 725.16—Gambling in Violation of Chapter 99B

Class = serious misdemeanor⁴⁸⁷⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁸⁷¹	0 ⁴⁸⁷²	N/A	Yes ⁴⁸⁷³

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁸⁷⁴	\$315 ⁴⁸⁷⁵	No ⁴⁸⁷⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁷⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁸⁷⁰ Iowa Code § [725.16](#).

⁴⁸⁷¹ Iowa Code § [903.1](#)(1)(b).

⁴⁸⁷² Iowa Code § [903.1](#)(1)(b).

⁴⁸⁷³ See Iowa Code § [907.3](#).

⁴⁸⁷⁴ Iowa Code § [903.1](#)(1)(b).

⁴⁸⁷⁵ Iowa Code § [903.1](#)(1)(b).

⁴⁸⁷⁶ Iowa Code § [903.1](#)(1).

⁴⁸⁷⁷ Iowa Code § [911.1](#)(1).

§ 725.17—Protection Money

Class = aggravated misdemeanor⁴⁸⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁸⁷⁹	0 ⁴⁸⁸⁰	None	Yes ⁴⁸⁸¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁸⁸²

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁸⁸³	\$625 ⁴⁸⁸⁴	Yes ⁴⁸⁸⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁸⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸⁸⁷	No	No

Notes:

⁴⁸⁷⁸ Iowa Code § [725.17](#).

⁴⁸⁷⁹ Iowa Code § [903.1](#)(2).

⁴⁸⁸⁰ Iowa Code § [903.1](#)(2).

⁴⁸⁸¹ See Iowa Code § [907.3](#), unnum. para..

⁴⁸⁸² Iowa Code § [903.1](#)(2).

⁴⁸⁸³ Iowa Code § [903.1](#)(2).

⁴⁸⁸⁴ Iowa Code § [903.1](#)(2).

⁴⁸⁸⁵ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁸⁶ Iowa Code § [911.1](#)(1).

⁴⁸⁸⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 725.18—Unlawful Collection Service

Class = aggravated misdemeanor⁴⁸⁸⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁴⁸⁸⁹	0 ⁴⁸⁹⁰	None	Yes ⁴⁸⁹¹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁴⁸⁹²

Fines

Max.	Min.	Can Suspend?
\$6250 ⁴⁸⁹³	\$625 ⁴⁸⁹⁴	Yes ⁴⁸⁹⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁸⁹⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁸⁹⁷	No	No

Notes:

⁴⁸⁸⁸ Iowa Code § [725.18](#).

⁴⁸⁸⁹ Iowa Code § [903.1](#)(2).

⁴⁸⁹⁰ Iowa Code § [903.1](#)(2).

⁴⁸⁹¹ See Iowa Code § [907.3](#), unnum. para..

⁴⁸⁹² Iowa Code § [903.1](#)(2).

⁴⁸⁹³ Iowa Code § [903.1](#)(2).

⁴⁸⁹⁴ Iowa Code § [903.1](#)(2).

⁴⁸⁹⁵ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁸⁹⁶ Iowa Code § [911.1](#)(1).

⁴⁸⁹⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 725.19—Gambling by Underage Persons

§ 725.19(1)—Gambling by person under 21 years old

Class = scheduled violation under § 805.8C(5)(a)⁴⁸⁹⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
0 ⁴⁸⁹⁹	0 ⁴⁹⁰⁰	N/A	N/A ⁴⁹⁰¹

Fines

Max.	Min.	Can Suspend?
\$500 ⁴⁹⁰²	\$500 ⁴⁹⁰³	No ⁴⁹⁰⁴

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹⁰⁵	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

- ❖ “Failure to pay the fine by a person under the age of eighteen shall not result in the person being detained in a secure facility.”⁴⁹⁰⁶

⁴⁸⁹⁸ Iowa Code § [725.19](#)(1).

⁴⁸⁹⁹ Iowa Code § [805.8C](#)(5)(a).

⁴⁹⁰⁰ Iowa Code § [805.8C](#)(5)(a).

⁴⁹⁰¹ See Iowa Code § [805.8C](#)(5)(a).

⁴⁹⁰² Iowa Code § [805.8C](#)(5)(a).

⁴⁹⁰³ Iowa Code § [805.8C](#)(5)(a).

⁴⁹⁰⁴ See Iowa Code § [805.8C](#)(5)(a).

⁴⁹⁰⁵ Iowa Code §§ [805.8](#)(1), [911.1](#)(1).

⁴⁹⁰⁶ Iowa Code § [805.8C](#)(5)(a).

§ 725.19(2)—Permitting gambling by person under 21 years old

Class = simple misdemeanor⁴⁹⁰⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁴⁹⁰⁸	0 ⁴⁹⁰⁹	N/A	Yes ⁴⁹¹⁰

Fines

Max.	Min.	Can Suspend?
\$625 ⁴⁹¹¹	\$65 ⁴⁹¹²	No ⁴⁹¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁴⁹⁰⁷ Iowa Code § [725.19](#)(2).

⁴⁹⁰⁸ Iowa Code § [903.1](#)(1)(a).

⁴⁹⁰⁹ Iowa Code § [903.1](#)(1)(a).

⁴⁹¹⁰ See Iowa Code [907.3](#).

⁴⁹¹¹ Iowa Code § [903.1](#)(1)(a).

⁴⁹¹² Iowa Code § [903.1](#)(1)(a).

⁴⁹¹³ Iowa Code § [903.1](#)(1).

⁴⁹¹⁴ Iowa Code § [911.1](#)(1).

CH. 726 PROTECTION OF THE FAMILY AND DEPENDENT PERSONS

§ 726.1—Bigamy

Class = serious misdemeanor⁴⁹¹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁴⁹¹⁶	0 ⁴⁹¹⁷	N/A	Yes ⁴⁹¹⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ⁴⁹¹⁹	\$315 ⁴⁹²⁰	No ⁴⁹²¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹²²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes if required to register for Sex Registry ⁴⁹²³	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section [692A.126](#),”⁴⁹²⁴ or
 - “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section [692A.126](#),”⁴⁹²⁵
 - If yes, the offender shall be assessed a civil penalty of \$250⁴⁹²⁶

⁴⁹¹⁵ Iowa Code § [726.1](#)(2).

⁴⁹¹⁶ Iowa Code § [903.1](#)(1)(b).

⁴⁹¹⁷ Iowa Code § [903.1](#)(1)(b).

⁴⁹¹⁸ See Iowa Code § [907.3](#).

⁴⁹¹⁹ Iowa Code § [903.1](#)(1)(b).

⁴⁹²⁰ Iowa Code § [903.1](#)(1)(b).

⁴⁹²¹ Iowa Code § [903.1](#)(1).

⁴⁹²² Iowa Code § [911.1](#)(1).

⁴⁹²³ Iowa Code § [81.2](#)(6).

⁴⁹²⁴ Iowa Code § [726.10](#).

⁴⁹²⁵ Iowa Code § [692A.102](#)(1)(a)(9).

⁴⁹²⁶ Iowa Code § [692A.110](#).

§ 726.2—Incest

Class = “D” felony⁴⁹²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁹²⁸	0 ⁴⁹²⁹	No, but see Enhancements	Yes ⁴⁹³⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁹³¹	\$750 ⁴⁹³²	Yes ⁴⁹³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹³⁵	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if any of the following apply:
 - committed against dependent adult⁴⁹³⁶
 - committed against a minor⁴⁹³⁷
 - committed against a minor and fact finder determines offense was sexually motivated per § [692A.126](#)⁴⁹³⁸
 - “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section [692A.126](#)”⁴⁹³⁹
 - If yes, the offender shall be assessed a civil penalty of \$250⁴⁹⁴⁰
- ❖ Special Sentence for 10 years⁴⁹⁴¹:
 - Person committed to custody of the director of the Iowa dep’t of corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release

⁴⁹²⁷ Iowa Code § [725.1](#)(2)(b).

⁴⁹²⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁹²⁹ Iowa Code § [902.9](#)(1)(e).

⁴⁹³⁰ See Iowa Code § [907.3](#).

⁴⁹³¹ Iowa Code § [902.9](#)(1)(e).

⁴⁹³² Iowa Code § [902.9](#)(1)(e).

⁴⁹³³ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁹³⁴ Iowa Code § [911.1](#)(1).

⁴⁹³⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁴⁹³⁶ Iowa Code § [692A.102](#)(1)(b)(17).

⁴⁹³⁷ Iowa Code § [692A.102](#)(1)(b)(18).

⁴⁹³⁸ Iowa Code § [726.10](#).

⁴⁹³⁹ Iowa Code § [692A.102](#)(1)(a)(9).

⁴⁹⁴⁰ Iowa Code § [692A.110](#).

⁴⁹⁴¹ Iowa Code § [903B.2](#).

- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 726.3—Neglect or Abandonment of Dependent Person

Class = “C” felony⁴⁹⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁹⁴³	0 ⁴⁹⁴⁴	No, but see Enhancements	Yes ⁴⁹⁴⁵

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁹⁴⁶	\$1000 ⁴⁹⁴⁷	Yes ⁴⁹⁴⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹⁴⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹⁵⁰	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section [692A.126](#),”⁴⁹⁵¹ or
 - “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section [692A.126](#),”⁴⁹⁵²
 - If yes, the offender shall be assessed a civil penalty of \$250⁴⁹⁵³

⁴⁹⁴² Iowa Code § [726.3](#).

⁴⁹⁴³ Iowa Code § [902.9](#)(1)(d).

⁴⁹⁴⁴ Iowa Code § [902.9](#)(1)(d).

⁴⁹⁴⁵ See Iowa Code [907.3](#).

⁴⁹⁴⁶ Iowa Code § [902.9](#)(1)(d).

⁴⁹⁴⁷ Iowa Code § [902.9](#)(1)(d).

⁴⁹⁴⁸ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁹⁴⁹ Iowa Code § [911.1](#)(1).

⁴⁹⁵⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁴⁹⁵¹ Iowa Code § [726.10](#).

⁴⁹⁵² Iowa Code § [692A.102](#)(1)(a)(9).

⁴⁹⁵³ Iowa Code § [692A.110](#).

§ 726.5—Nonsupport

Class = “D” felony⁴⁹⁵⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁹⁵⁵	0 ⁴⁹⁵⁶	No, but see Enhancements	Yes ⁴⁹⁵⁷

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁹⁵⁸	\$750 ⁴⁹⁵⁹	Yes ⁴⁹⁶⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹⁶¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹⁶²	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section [692A.126](#),”⁴⁹⁶³ or
 - “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section [692A.126](#),”⁴⁹⁶⁴
 - If yes, the offender shall be assessed a civil penalty of \$250⁴⁹⁶⁵

⁴⁹⁵⁴ Iowa Code § [726.5](#).

⁴⁹⁵⁵ Iowa Code § [902.9](#)(1)(e).

⁴⁹⁵⁶ Iowa Code § [902.9](#)(1)(e).

⁴⁹⁵⁷ See Iowa Code § [907.3](#).

⁴⁹⁵⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁹⁵⁹ Iowa Code § [902.9](#)(1)(e).

⁴⁹⁶⁰ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁹⁶¹ Iowa Code § [911.1](#)(1).

⁴⁹⁶² Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁴⁹⁶³ Iowa Code § [726.10](#).

⁴⁹⁶⁴ Iowa Code § [692A.102](#)(1)(a)(9).

⁴⁹⁶⁵ Iowa Code § [692A.110](#).

§ 726.6—Child Endangerment

§ 726.6(4)—Resulting in death to child or minor

Class = “B” felony⁴⁹⁶⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ⁴⁹⁶⁷	0 ⁴⁹⁶⁸	<ul style="list-style-type: none"> ❖ If child endangerment was in violation of § 726.6(1)(b), not eligible until served between 30% and 70% of max. term of sentence⁴⁹⁶⁹ <ul style="list-style-type: none"> ➤ court shall determine at time of sentencing when person is to become eligible for parole or work release⁴⁹⁷⁰ <ul style="list-style-type: none"> ▪ “based upon all pertinent information including the person’s criminal record, a validated risk assessment, and whether the offense involved multiple intentional acts or a series of intentional acts, or whether the offense involved torture or cruelty”⁴⁹⁷¹ ➤ but see Under 18 Sentencing 	No, ⁴⁹⁷² but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ⁴⁹⁷³	0 ⁴⁹⁷⁴	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹⁷⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section [692A.126](#),”⁴⁹⁷⁶ or
 - “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section [692A.126](#)”⁴⁹⁷⁷

⁴⁹⁶⁶ Iowa Code § [726.6](#)(4).

⁴⁹⁶⁷ Iowa Code § [726.6](#)(4).

⁴⁹⁶⁸ Iowa Code § [902.9](#)(1)(b).

⁴⁹⁶⁹ Iowa Code § [902.12](#)(2).

⁴⁹⁷⁰ Iowa Code § [901.11](#)(2).

⁴⁹⁷¹ Iowa Code § [901.11](#)(2).

⁴⁹⁷² Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “child endangerment” as a forcible felony).

⁴⁹⁷³ Iowa Code § [902.9](#)(1)(b).

⁴⁹⁷⁴ Iowa Code § [902.9](#)(1)(b).

⁴⁹⁷⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁴⁹⁷⁶ Iowa Code § [726.10](#).

⁴⁹⁷⁷ Iowa Code § [692A.102](#)(1)(a)(9).

- If yes, the offender shall be assessed a civil penalty of \$250⁴⁹⁷⁸

⁴⁹⁷⁸ Iowa Code § [692A.110](#).

§ 726.6(5)—Resulting in serious injury to child or minor

Class = “C” felony⁴⁹⁷⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁴⁹⁸⁰	0 ⁴⁹⁸¹	No, but see Enhancements Note: child endangerment in violation of § 726.6(1)(e) can be a SVO ⁴⁹⁸²	No, ⁴⁹⁸³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁴⁹⁸⁴	\$1000 ⁴⁹⁸⁵	Yes ⁴⁹⁸⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁴⁹⁸⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁴⁹⁸⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁴⁹⁸⁹ or
 - “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126”⁴⁹⁹⁰
 - If yes, the offender shall be assessed a civil penalty of \$250⁴⁹⁹¹

⁴⁹⁷⁹ Iowa Code § 726.6(5).

⁴⁹⁸⁰ Iowa Code § 902.9(1)(d).

⁴⁹⁸¹ Iowa Code § 902.9(1)(d).

⁴⁹⁸² Iowa Code § 229A.2(11) (b)(4); *see id.* § 229A.2(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁴⁹⁸³ Iowa Code § 907.3, unnum. para.; *see id.* § 702.11(1) (including felonious “child endangerment” as a forcible felony).

⁴⁹⁸⁴ Iowa Code § 902.9(1)(d).

⁴⁹⁸⁵ Iowa Code § 902.9(1)(d).

⁴⁹⁸⁶ *See* Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁴⁹⁸⁷ Iowa Code § 911.1(1).

⁴⁹⁸⁸ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁴⁹⁸⁹ Iowa Code § 726.10.

⁴⁹⁹⁰ Iowa Code § 692A.102(1)(a)(9).

⁴⁹⁹¹ Iowa Code § 692A.110.

§ 726.6(6)—Resulting in bodily injury to child or minor, or violation of § 726.6(1)(g) that does not result in serious injury

Class = “D” felony⁴⁹⁹²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁴⁹⁹³	0 ⁴⁹⁹⁴	No, but see Enhancements Note: child endangerment in violation of § 726.6(1)(e) can be a SVO ⁴⁹⁹⁵	Yes ⁴⁹⁹⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ⁴⁹⁹⁷	\$750 ⁴⁹⁹⁸	Yes ⁴⁹⁹⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁰⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰⁰¹	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section [692A.126](#),⁵⁰⁰² or
 - “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section [692A.126](#),⁵⁰⁰³
 - If yes, the offender shall be assessed a civil penalty of \$250⁵⁰⁰⁴

⁴⁹⁹² Iowa Code § [726.6](#)(6).

⁴⁹⁹³ Iowa Code § [902.9](#)(1)(e).

⁴⁹⁹⁴ Iowa Code § [902.9](#)(1)(e).

⁴⁹⁹⁵ Iowa Code § [229A.2](#)(11) (b)(4); *see id.* § [229A.2](#)(3) (noting definition of “sexually violent offense” is the same as defined in § [229A.2](#)).

⁴⁹⁹⁶ See Iowa Code § [907.3](#); *see also id.* § [702.11](#)(2)(e) (indicating child endangerment punished under § [726.6](#)(6) is not a forcible felony).

⁴⁹⁹⁷ Iowa Code § [902.9](#)(1)(e).

⁴⁹⁹⁸ Iowa Code § [902.9](#)(1)(e).

⁴⁹⁹⁹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰⁰⁰ Iowa Code § [911.1](#)(1).

⁵⁰⁰¹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁵⁰⁰² Iowa Code § [726.10](#).

⁵⁰⁰³ Iowa Code § [692A.102](#)(1)(a)(9).

⁵⁰⁰⁴ Iowa Code § [692A.110](#).

§ 726.6(7)—Any other child endangerment

Class = aggravated misdemeanor⁵⁰⁰⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁰⁰⁶	0 ⁵⁰⁰⁷	None, but child endangerment in violation of § 726.6(1)(e) can be a SVO, ⁵⁰⁰⁸ so see Enhancements	Yes ⁵⁰⁰⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁰¹⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵⁰¹¹	\$625 ⁵⁰¹²	Yes ⁵⁰¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰¹⁵	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section 692A.126,”⁵⁰¹⁶ or
 - “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section 692A.126”⁵⁰¹⁷
 - If yes, the offender shall be assessed a civil penalty of \$250⁵⁰¹⁸

⁵⁰⁰⁵ Iowa Code § 726.6(7).

⁵⁰⁰⁶ Iowa Code § 903.1(2).

⁵⁰⁰⁷ Iowa Code § 903.1(2).

⁵⁰⁰⁸ Iowa Code § 229A.2(11) (b)(4); *see id.* § 229A.2(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁵⁰⁰⁹ See Iowa Code § 907.3, unnum. para..

⁵⁰¹⁰ Iowa Code § 903.1(2).

⁵⁰¹¹ Iowa Code § 903.1(2).

⁵⁰¹² Iowa Code § 903.1(2).

⁵⁰¹³ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰¹⁴ Iowa Code § 911.1(1).

⁵⁰¹⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁵⁰¹⁶ Iowa Code § 726.10.

⁵⁰¹⁷ Iowa Code § 692A.102(1)(a)(9).

⁵⁰¹⁸ Iowa Code § 692A.110.

§ 726.6A—Multiple Acts of Child Endangerment

Class = “B” felony⁵⁰¹⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
50 years ⁵⁰²⁰	0 ⁵⁰²¹	No, but see Enhancements ❖ Note: child endangerment in violation of § 726.6 (1)(e) can be a SVO ⁵⁰²²	No, ⁵⁰²³ but see Under 18 Sentencing

Fines

Max.	Min.	Can Suspend?
0 ⁵⁰²⁴	0 ⁵⁰²⁵	N/A

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
N/A	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰²⁶	Maybe, see Notes	No

Notes:

❖ Sex Registry:

➤ Must register if:

- “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section [692A.126](#),⁵⁰²⁷ or
- “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section [692A.126](#),⁵⁰²⁸
- If yes, the offender shall be assessed a civil penalty of \$250⁵⁰²⁹

⁵⁰¹⁹ Iowa Code § [726.6A](#).

⁵⁰²⁰ Iowa Code § [726.6A](#).

⁵⁰²¹ Iowa Code § [902.9](#)(1)(b).

⁵⁰²² Iowa Code § [229A.2](#)(11) (b)(4); *see id.* § [229A.2](#)(3) (noting definition of “sexually violent offense” is the same as defined in § [229A.2](#)).

⁵⁰²³ Iowa Code § [907.3](#), unnum. para.; *see id.* § [702.11](#)(1) (including felonious “child endangerment” as a forcible felony).

⁵⁰²⁴ Iowa Code § [902.9](#)(1)(b).

⁵⁰²⁵ Iowa Code § [902.9](#)(1)(b).

⁵⁰²⁶ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁵⁰²⁷ Iowa Code § [726.10](#).

⁵⁰²⁸ Iowa Code § [692A.102](#)(1)(a)(9).

⁵⁰²⁹ Iowa Code § [692A.110](#).

§ 726.7—Wanton Neglect of a Resident of a Health Care Facility

§ 726.7(2)—Resulting in serious injury to resident

Class = “C” felony⁵⁰³⁰

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁵⁰³¹	0 ⁵⁰³²	No, but see Enhancements	Yes ⁵⁰³³

Fines

Max.	Min.	Can Suspend?
\$10,000 ⁵⁰³⁴	\$1000 ⁵⁰³⁵	Yes ⁵⁰³⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰³⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰³⁸	Maybe, see Notes	No

Notes:

❖ Sex Registry:

- Must register if:
 - “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section [692A.126](#),⁵⁰³⁹ or
 - “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section [692A.126](#),⁵⁰⁴⁰
 - If yes, the offender shall be assessed a civil penalty of \$250⁵⁰⁴¹

⁵⁰³⁰ Iowa Code § [726.7](#)(2).

⁵⁰³¹ Iowa Code § [902.9](#)(1)(d).

⁵⁰³² Iowa Code § [902.9](#)(1)(d).

⁵⁰³³ See Iowa Code [907.3](#).

⁵⁰³⁴ Iowa Code § [902.9](#)(1)(d).

⁵⁰³⁵ Iowa Code § [902.9](#)(1)(d).

⁵⁰³⁶ See Iowa Code § [902.9](#)(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰³⁷ Iowa Code § [911.1](#)(1).

⁵⁰³⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁵⁰³⁹ Iowa Code § [726.10](#).

⁵⁰⁴⁰ Iowa Code § [692A.102](#)(1)(a)(9).

⁵⁰⁴¹ Iowa Code § [692A.110](#).

§ 726.7(3)—Not resulting in serious injury

Class = aggravated misdemeanor⁵⁰⁴²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁰⁴³	0 ⁵⁰⁴⁴	None	Yes ⁵⁰⁴⁵

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵⁰⁴⁶

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵⁰⁴⁷	\$625 ⁵⁰⁴⁸	Yes ⁵⁰⁴⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁵⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰⁵¹	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
- Must register if:
 - “committed against a minor and the fact finder makes a determination that the offense was sexually motivated pursuant to section [692A.126](#),”⁵⁰⁵² or
 - “committed against a minor or otherwise involves a minor and if a determination is made that the offense was sexually motivated pursuant to section [692A.126](#)”⁵⁰⁵³
 - If yes, the offender shall be assessed a civil penalty of \$250⁵⁰⁵⁴

⁵⁰⁴² Iowa Code § [726.7\(3\)](#).

⁵⁰⁴³ Iowa Code § [903.1\(2\)](#).

⁵⁰⁴⁴ Iowa Code § [903.1\(2\)](#).

⁵⁰⁴⁵ See Iowa Code § [907.3](#), unnum. para..

⁵⁰⁴⁶ Iowa Code § [903.1\(2\)](#).

⁵⁰⁴⁷ Iowa Code § [903.1\(2\)](#).

⁵⁰⁴⁸ Iowa Code § [903.1\(2\)](#).

⁵⁰⁴⁹ See Iowa Code § [903.1\(2\)](#); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰⁵⁰ Iowa Code § [911.1\(1\)](#).

⁵⁰⁵¹ Iowa Code §§ [81.2\(1\)](#), [901.5\(8A\)\(a\)](#).

⁵⁰⁵² Iowa Code § [726.10](#).

⁵⁰⁵³ Iowa Code § [692A.102\(1\)\(a\)\(9\)](#).

⁵⁰⁵⁴ Iowa Code § [692A.110](#).

§ 726.8—Wanton Neglect or Nonsupport of a Dependent Adult

§ 726.8(1)—By a caretaker

Class = serious misdemeanor⁵⁰⁵⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁵⁰⁵⁶	0 ⁵⁰⁵⁷	N/A	Yes ⁵⁰⁵⁸

Fines

Max.	Min.	Can Suspend?
\$1875 ⁵⁰⁵⁹	\$315 ⁵⁰⁶⁰	No ⁵⁰⁶¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁶²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁵⁰⁵⁵ Iowa Code § 726.8(1).

⁵⁰⁵⁶ Iowa Code § 903.1(1)(b).

⁵⁰⁵⁷ Iowa Code § 903.1(1)(b).

⁵⁰⁵⁸ See Iowa Code § 907.3.

⁵⁰⁵⁹ Iowa Code § 903.1(1)(b).

⁵⁰⁶⁰ Iowa Code § 903.1(1)(b).

⁵⁰⁶¹ Iowa Code § 903.1(1).

⁵⁰⁶² Iowa Code § 911.1(1).

§ 726.8(2)—By a person with legal responsibility

Class = “D” felony⁵⁰⁶³

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁵⁰⁶⁴	0 ⁵⁰⁶⁵	No, but see Enhancements	Yes ⁵⁰⁶⁶

Fines

Max.	Min.	Can Suspend?
\$7500 ⁵⁰⁶⁷	\$750 ⁵⁰⁶⁸	Yes ⁵⁰⁶⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁷⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰⁷¹	No	No

Notes:

⁵⁰⁶³ Iowa Code § 726.8(2).

⁵⁰⁶⁴ Iowa Code § 902.9(1)(e).

⁵⁰⁶⁵ Iowa Code § 902.9(1)(e).

⁵⁰⁶⁶ See Iowa Code § 907.3; see also id. § 702.11(2)(e) (indicating child endangerment punished under § 726.6(6) is not a forcible felony).

⁵⁰⁶⁷ Iowa Code § 902.9(1)(e).

⁵⁰⁶⁸ Iowa Code § 902.9(1)(e).

⁵⁰⁶⁹ See Iowa Code § 902.9(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵⁰⁷⁰ Iowa Code § 911.1(1).

⁵⁰⁷¹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

CH. 728 OBSCENITY

§ 728.2—Dissemination and Exhibition of Obscene Materials to Minors

Class = serious misdemeanor⁵⁰⁷²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁵⁰⁷³	0 ⁵⁰⁷⁴	N/A	Yes ⁵⁰⁷⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁵⁰⁷⁶	\$315 ⁵⁰⁷⁷	No ⁵⁰⁷⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁷⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰⁸⁰	Yes ⁵⁰⁸¹ The offender shall be assessed a civil penalty of \$250 ⁵⁰⁸²	No

Notes:

- ❖ Additional Penalty:
 - All permits and licenses issued to offender under state or local law in order to do business that allowed for dissemination or exhibition are revoked for 6 months⁵⁰⁸³

⁵⁰⁷² Iowa Code § [728.2](#).

⁵⁰⁷³ Iowa Code § [903.1](#)(1)(b).

⁵⁰⁷⁴ Iowa Code § [903.1](#)(1)(b).

⁵⁰⁷⁵ See Iowa Code § [907.3](#).

⁵⁰⁷⁶ Iowa Code § [903.1](#)(1)(b).

⁵⁰⁷⁷ Iowa Code § [903.1](#)(1)(b).

⁵⁰⁷⁸ Iowa Code § [903.1](#)(1).

⁵⁰⁷⁹ Iowa Code § [911.1](#)(1).

⁵⁰⁸⁰ Iowa Code § [81.2](#)(6) (requiring submission of an DNA Sample for anyone required to register for sex offender registry).

⁵⁰⁸¹ Iowa Code § [692A.102](#)(1)(a)(10)(a).

⁵⁰⁸² Iowa Code § [692A.110](#).

⁵⁰⁸³ Iowa Code § [728.8](#).

§ 728.3—Admitting Minors to Premises Where Obscene Material Is Exhibited

§ 728.3(1)—Minor is not a child

Class = serious misdemeanor⁵⁰⁸⁴

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁵⁰⁸⁵	0 ⁵⁰⁸⁶	N/A	Yes ⁵⁰⁸⁷

Fines

Max.	Min.	Can Suspend?
\$1875 ⁵⁰⁸⁸	\$315 ⁵⁰⁸⁹	No ⁵⁰⁹⁰

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵⁰⁹¹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵⁰⁹²	Yes ⁵⁰⁹³ The offender shall be assessed a civil penalty of \$250 ⁵⁰⁹⁴	No

Notes:

❖ Additional Penalty:

- All permits and licenses issued to offender under state or local law in order to do business on premises at issue are revoked for 6 months⁵⁰⁹⁵

⁵⁰⁸⁴ Iowa Code § [728.2](#).

⁵⁰⁸⁵ Iowa Code § [903.1](#)(1)(b).

⁵⁰⁸⁶ Iowa Code § [903.1](#)(1)(b).

⁵⁰⁸⁷ See Iowa Code § [907.3](#).

⁵⁰⁸⁸ Iowa Code § [903.1](#)(1)(b).

⁵⁰⁸⁹ Iowa Code § [903.1](#)(1)(b).

⁵⁰⁹⁰ Iowa Code § [903.1](#)(1).

⁵⁰⁹¹ Iowa Code § [911.1](#)(1).

⁵⁰⁹² Iowa Code § [81.2](#)(6) (requiring submission of an DNA Sample for anyone required to register for sex offender registry).

⁵⁰⁹³ Iowa Code § [692A.102](#)(1)(a)(11).

⁵⁰⁹⁴ Iowa Code § [692A.110](#).

⁵⁰⁹⁵ Iowa Code § [728.8](#).

§ 728.3(2)—Minor is a child

Class = aggravated misdemeanor⁵⁰⁹⁶

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵⁰⁹⁷	0 ⁵⁰⁹⁸	None	Yes ⁵⁰⁹⁹

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵¹⁰⁰

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵¹⁰¹	\$625 ⁵¹⁰²	Yes ⁵¹⁰³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵¹⁰⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵¹⁰⁵	Yes ⁵¹⁰⁶ The offender shall be assessed a civil penalty of \$250 ⁵¹⁰⁷	No

Notes:

❖ Additional Penalty:

- All permits and licenses issued to offender under state or local law in order to do business on premises at issue are revoked for 6 months⁵¹⁰⁸

⁵⁰⁹⁶ Iowa Code § 728.3(2).

⁵⁰⁹⁷ Iowa Code § 903.1(2).

⁵⁰⁹⁸ Iowa Code § 903.1(2).

⁵⁰⁹⁹ See Iowa Code § 907.3, unnum. para..

⁵¹⁰⁰ Iowa Code § 903.1(2).

⁵¹⁰¹ Iowa Code § 903.1(2).

⁵¹⁰² Iowa Code § 903.1(2).

⁵¹⁰³ See Iowa Code § 903.1(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵¹⁰⁴ Iowa Code § 911.1(1).

⁵¹⁰⁵ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁵¹⁰⁶ Iowa Code § 692A.102(1)(a)(11).

⁵¹⁰⁷ Iowa Code § 692A.110.

⁵¹⁰⁸ Iowa Code § 728.8.

§ 728.4—Rental or Sale of Hard-Core Pornography

First Offense

Class = aggravated misdemeanor⁵¹⁰⁹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵¹¹⁰	0 ⁵¹¹¹	None	Yes ⁵¹¹²

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵¹¹³

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵¹¹⁴	\$625 ⁵¹¹⁵	Yes ⁵¹¹⁶

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵¹¹⁷	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵¹¹⁸	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
- Must register if:
 - delivery is to a minor⁵¹¹⁹
 - If yes, the offender shall be assessed a civil penalty of \$250⁵¹²⁰

⁵¹⁰⁹ Iowa Code § [728.4](#).

⁵¹¹⁰ Iowa Code § [903.1](#)(2).

⁵¹¹¹ Iowa Code § [903.1](#)(2).

⁵¹¹² See Iowa Code § [907.3](#), unnum. para..

⁵¹¹³ Iowa Code § [903.1](#)(2).

⁵¹¹⁴ Iowa Code § [903.1](#)(2).

⁵¹¹⁵ Iowa Code § [903.1](#)(2).

⁵¹¹⁶ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵¹¹⁷ Iowa Code § [911.1](#)(1).

⁵¹¹⁸ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁵¹¹⁹ Iowa Code § [692A.102](#)(1)(a)(10)(b).

⁵¹²⁰ Iowa Code § [692A.110](#).

Second or Subsequent Offense

Class = “D” felony⁵¹²¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁵¹²²	0 ⁵¹²³	No, but see Enhancements	Yes ⁵¹²⁴

Fines

Max.	Min.	Can Suspend?
\$7500 ⁵¹²⁵	\$750 ⁵¹²⁶	Yes ⁵¹²⁷

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵¹²⁸	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵¹²⁹	Maybe, see Notes	No

Notes:

- ❖ Sex Registry:
 - Must register if:
 - delivery is to a minor⁵¹³⁰
 - If yes, offender shall be assessed a civil penalty of \$250⁵¹³¹

⁵¹²¹ Iowa Code § [728.4](#).

⁵¹²² Iowa Code § [902.9](#)(1)(e).

⁵¹²³ Iowa Code § [902.9](#)(1)(e).

⁵¹²⁴ See Iowa Code § [907.3](#).

⁵¹²⁵ Iowa Code § [902.9](#)(1)(e).

⁵¹²⁶ Iowa Code § [902.9](#)(1)(e).

⁵¹²⁷ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵¹²⁸ Iowa Code § [911.1](#)(1).

⁵¹²⁹ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁵¹³⁰ Iowa Code § [692A.102](#)(1)(a)(10)(b).

⁵¹³¹ Iowa Code § [692A.110](#).

§ 728.5—Public Indecent Exposure in Certain Establishments

§ 728.5(1)—Public indecent exposure

Class = serious misdemeanor⁵¹³²

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
1 year ⁵¹³³	0 ⁵¹³⁴	N/A	Yes ⁵¹³⁵

Fines

Max.	Min.	Can Suspend?
\$1875 ⁵¹³⁶	\$315 ⁵¹³⁷	No ⁵¹³⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵¹³⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

- ❖ Additional Penalty:
 - if violation of § [728.5\(1\)\(f\)](#), all permits and licenses issued to offender under state or local law in order to do business on premises at issue are revoked for 6 months⁵¹⁴⁰

⁵¹³² Iowa Code § [728.5\(1\)](#).

⁵¹³³ Iowa Code § [903.1\(1\)\(b\)](#).

⁵¹³⁴ Iowa Code § [903.1\(1\)\(b\)](#).

⁵¹³⁵ See Iowa Code § [907.3](#).

⁵¹³⁶ Iowa Code § [903.1\(1\)\(b\)](#).

⁵¹³⁷ Iowa Code § [903.1\(1\)\(b\)](#).

⁵¹³⁸ Iowa Code § [903.1\(1\)](#).

⁵¹³⁹ Iowa Code § [911.1\(1\)](#).

⁵¹⁴⁰ Iowa Code § [728.8](#).

§ 728.5(2)—Involving a minor

Class = aggravated misdemeanor⁵¹⁴¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵¹⁴²	0 ⁵¹⁴³	None	Yes ⁵¹⁴⁴

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵¹⁴⁵

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵¹⁴⁶	\$625 ⁵¹⁴⁷	Yes ⁵¹⁴⁸

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵¹⁴⁹	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵¹⁵⁰	No	No

Notes:

⁵¹⁴¹ Iowa Code § [728.5](#)(2).

⁵¹⁴² Iowa Code § [903.1](#)(2).

⁵¹⁴³ Iowa Code § [903.1](#)(2).

⁵¹⁴⁴ See Iowa Code § [907.3](#), unnum. para..

⁵¹⁴⁵ Iowa Code § [903.1](#)(2).

⁵¹⁴⁶ Iowa Code § [903.1](#)(2).

⁵¹⁴⁷ Iowa Code § [903.1](#)(2).

⁵¹⁴⁸ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵¹⁴⁹ Iowa Code § [911.1](#)(1).

⁵¹⁵⁰ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

§ 728.12—Sexual Exploitation of a Minor

§ 728.12(1)—Cause or attempt to cause minor to engage in prohibited sexual act or simulation of prohibited sexual act

Class = “C” felony⁵¹⁵¹

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
10 years ⁵¹⁵²	0 ⁵¹⁵³	No, but see Enhancements Note: violation of § 728.12(1) is a SPO ⁵¹⁵⁴ and a SVO ⁵¹⁵⁵	Yes ⁵¹⁵⁶

Fines

Max.	Min.	Can Suspend?
\$50,000 ⁵¹⁵⁷	\$1000 ⁵¹⁵⁸	Yes ⁵¹⁵⁹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵¹⁶⁰	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵¹⁶¹	Yes ⁵¹⁶² The offender shall be assessed a civil penalty of \$250 ⁵¹⁶³	No

Notes:

- ❖ Special Sentence for Life⁵¹⁶⁴:
 - person committed to custody of the director of the Iowa dep’t of corrections for the rest of the person’s life, with eligibility for parole per ch. 906
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release

⁵¹⁵¹ Iowa Code § 728.12(1).

⁵¹⁵² Iowa Code § 902.9(1)(d).

⁵¹⁵³ Iowa Code § 902.9(1)(d).

⁵¹⁵⁴ Iowa Code § 229A.2 (1)(b).

⁵¹⁵⁵ Iowa Code § 229A.2(11) (c); *see id.* § 229A.2(3) (noting definition of “sexually violent offense” is the same as defined in § 229A.2).

⁵¹⁵⁶ See Iowa Code § 907.3 .

⁵¹⁵⁷ Iowa Code § 728.12(1).

⁵¹⁵⁸ Iowa Code § 902.9(1)(d).

⁵¹⁵⁹ See Iowa Code § 902.9(1)(d); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵¹⁶⁰ Iowa Code § 911.1(1).

⁵¹⁶¹ Iowa Code §§ 81.2(1), 901.5(8A)(a).

⁵¹⁶² Iowa Code § 692A.102(1)(c) (25).

⁵¹⁶³ Iowa Code § 692A.110.

⁵¹⁶⁴ Iowa Code § 903B.1.

- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 728.12(2)—Promotion of unlawful material

Class = “D” felony⁵¹⁶⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁵¹⁶⁶	0 ⁵¹⁶⁷	No, but see Enhancements	Yes ⁵¹⁶⁸

Fines

Max.	Min.	Can Suspend?
\$25,000 ⁵¹⁶⁹	\$750 ⁵¹⁷⁰	Yes ⁵¹⁷¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵¹⁷²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵¹⁷³	Yes ⁵¹⁷⁴ The offender shall be assessed a civil penalty of \$250 ⁵¹⁷⁵	No

Notes:

- ❖ Special Sentence for 10 years⁵¹⁷⁶:
 - Person committed to custody of the director of the Iowa dep’t of corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
 - Is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

⁵¹⁶⁵ Iowa Code § [728.12](#)(2).

⁵¹⁶⁶ Iowa Code § [902.9](#)(1)(e).

⁵¹⁶⁷ Iowa Code § [902.9](#)(1)(e).

⁵¹⁶⁸ See Iowa Code § [907.3](#); see also id. § [702.11](#)(2)(e) (indicating child endangerment punished under § [726.6](#)(6) is not a forcible felony).

⁵¹⁶⁹ Iowa Code § [728.12](#)(2).

⁵¹⁷⁰ Iowa Code § [902.9](#)(1)(e).

⁵¹⁷¹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵¹⁷² Iowa Code § [911.1](#)(1).

⁵¹⁷³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁵¹⁷⁴ Iowa Code § [692A.102](#)(1)(b)(19).

⁵¹⁷⁵ Iowa Code § [692A.110](#).

⁵¹⁷⁶ Iowa Code § [903B.2](#).

§ 728.12(3)—Purchase or possess visual depiction

First Offense

- ❖ multiple violations of § [728.12](#) involving the same minor are prosecuted and punished as one offense⁵¹⁷⁷

Class = aggravated misdemeanor⁵¹⁷⁸

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵¹⁷⁹	0 ⁵¹⁸⁰	None	Yes ⁵¹⁸¹

- ❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵¹⁸²

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵¹⁸³	\$625 ⁵¹⁸⁴	Yes ⁵¹⁸⁵

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵¹⁸⁶	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵¹⁸⁷	Yes ⁵¹⁸⁸ The offender shall be assessed a civil penalty of \$250 ⁵¹⁸⁹	No

Notes:

- ❖ Special Sentence for 10 years⁵¹⁹⁰.
 - person committed to custody of the director of the Iowa dep’t of corrections for a period of 10 years, with eligibility for parole per ch. [906](#)
 - is in addition to any other punishment imposed
 - Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
 - Person begins the special sentence under supervision as if on parole or work release
 - Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

⁵¹⁷⁷ Iowa Code § [728.12](#)(3).

⁵¹⁷⁸ Iowa Code § [728.12](#)(3).

⁵¹⁷⁹ Iowa Code § [903.1](#)(2).

⁵¹⁸⁰ Iowa Code § [903.1](#)(2).

⁵¹⁸¹ See Iowa Code § [907.3](#), unnum. para..

⁵¹⁸² Iowa Code § [903.1](#)(2).

⁵¹⁸³ Iowa Code § [903.1](#)(2).

⁵¹⁸⁴ Iowa Code § [903.1](#)(2).

⁵¹⁸⁵ See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵¹⁸⁶ Iowa Code § [911.1](#)(1).

⁵¹⁸⁷ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁵¹⁸⁸ Iowa Code § [692A.102](#)(1)(b)(19).

⁵¹⁸⁹ Iowa Code § [692A.110](#).

⁵¹⁹⁰ Iowa Code § [903B.2](#).

Second or Subsequent Offense

- ❖ multiple violations of § [728.12](#) involving the same minor are prosecuted and punished as one offense⁵¹⁹¹
- ❖ offense is a second or subsequent offense if any of the following apply:
 - person has a prior conviction or deferred judgment under § [728.12](#)(3)⁵¹⁹²
 - person has a prior conviction, deferred judgment, or the equivalent of a deferred judgment in another jurisdiction for an offense substantially similar to the offense in § [728.12](#)(3)⁵¹⁹³
 - The court shall take judicial notice of other states' statutes that define offenses substantially similar to the offense in § [728.12](#)(3)⁵¹⁹⁴

Class = “D” felony⁵¹⁹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁵¹⁹⁶	0 ⁵¹⁹⁷	No, but see Enhancements	Yes ⁵¹⁹⁸

Fines

Max.	Min.	Can Suspend?
\$7500 ⁵¹⁹⁹	\$750 ⁵²⁰⁰	Yes ⁵²⁰¹

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵²⁰²	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵²⁰³	Yes ⁵²⁰⁴ The offender shall be assessed a civil penalty of \$250 ⁵²⁰⁵	No

Notes:

- ❖ Special Sentence for 10 years⁵²⁰⁶:
 - person committed to custody of the director of the Iowa dep’t of corrections for a period of 10 years, with eligibility for parole per ch. [906](#)

⁵¹⁹¹ Iowa Code § [728.12](#)(3).

⁵¹⁹² Iowa Code § [728.12](#)(3)(a).

⁵¹⁹³ Iowa Code § [728.12](#)(3)(b).

⁵¹⁹⁴ Iowa Code § [728.12](#)(3)(b).

⁵¹⁹⁵ Iowa Code § [728.12](#)(3).

⁵¹⁹⁶ Iowa Code § [902.9](#)(1)(e).

⁵¹⁹⁷ Iowa Code § [902.9](#)(1)(e).

⁵¹⁹⁸ See Iowa Code § [907.3](#).

⁵¹⁹⁹ Iowa Code § [902.9](#)(1)(e).

⁵²⁰⁰ Iowa Code § [902.9](#)(1)(e).

⁵²⁰¹ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵²⁰² Iowa Code § [911.1](#)(1).

⁵²⁰³ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁵²⁰⁴ Iowa Code § [692A.102](#)(1)(b)(19).

⁵²⁰⁵ Iowa Code § [692A.110](#).

⁵²⁰⁶ Iowa Code § [903B.2](#).

- is in addition to any other punishment imposed
- Commences “upon completion of the sentence imposed under any applicable criminal sentencing provisions for the underlying criminal offense”
- Person begins the special sentence under supervision as if on parole or work release
- Terms and conditions of the special sentence are subject to procedures in chapters [901B](#), [905](#), [906](#), and [908](#)

§ 728.14—Failure of Commercial Film and Photographic Film Processor to Report Depictions of Minors Engaged in Prohibited Sexual Acts

Class = simple misdemeanor⁵²⁰⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
30 days ⁵²⁰⁸	0 ⁵²⁰⁹	N/A	Yes ⁵²¹⁰

Fines

Max.	Min.	Can Suspend?
\$625 ⁵²¹¹	\$65 ⁵²¹²	No ⁵²¹³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵²¹⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	No	No	No

Notes:

⁵²⁰⁷ Iowa Code § [728.14](#)(3).

⁵²⁰⁸ Iowa Code § [903.1](#)(1)(a).

⁵²⁰⁹ Iowa Code § [903.1](#)(1)(a).

⁵²¹⁰ See Iowa Code § [907.3](#).

⁵²¹¹ Iowa Code § [903.1](#)(1)(a).

⁵²¹² Iowa Code § [903.1](#)(1)(a).

⁵²¹³ Iowa Code § [903.1](#)(1).

⁵²¹⁴ Iowa Code § [911.1](#)(1).

§ 728.15—Telephone Dissemination of Obscene Materials to Minors

§ 728.15(1)(b)—Using telephones or telephone facilities to disseminate obscene material to minor

First Offense

Class = aggravated misdemeanor⁵²¹⁵

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
2 years ⁵²¹⁶	0 ⁵²¹⁷	None	Yes ⁵²¹⁸

❖ If sentence of confinement is more than one year, sentence shall be for an indeterminate term⁵²¹⁹

Fines

Max.	Min.	Can Suspend?
\$6250 ⁵²²⁰	\$625 ⁵²²¹	Yes ⁵²²²

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵²²³	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵²²⁴	Yes ⁵²²⁵ The offender shall be assessed a civil penalty of \$250 ⁵²²⁶	No

Notes:

⁵²¹⁵ Iowa Code § [728.15](#)(4)(a).

⁵²¹⁶ Iowa Code § [903.1](#)(2).

⁵²¹⁷ Iowa Code § [903.1](#)(2).

⁵²¹⁸ See Iowa Code § [907.3](#), unnum. para..

⁵²¹⁹ Iowa Code § [903.1](#)(2).

⁵²²⁰ Iowa Code § [903.1](#)(2).

⁵²²¹ Iowa Code § [903.1](#)(2).

⁵²²² See Iowa Code § [903.1](#)(2); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵²²³ Iowa Code § [911.1](#)(1).

⁵²²⁴ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁵²²⁵ Iowa Code § [692A.102](#)(1)(a)(10)(a).

⁵²²⁶ Iowa Code § [692A.110](#).

Second or Subsequent Offense

Class = “D” felony⁵²²⁷

Jail/Prison Time

Max.	Min.	Mand. Min. before Parole Eligible?	DJ, DS, or SS Eligible?
5 years ⁵²²⁸	0 ⁵²²⁹	No, but see Enhancements	Yes ⁵²³⁰

Fines

Max.	Min.	Can Suspend?
\$7500 ⁵²³¹	\$750 ⁵²³²	Yes ⁵²³³

Surcharges

35% of fine or forfeiture	DARE	HTV	DAA, SA, stalking, HTV	DA Prot. Order Contempt	LEIS
Yes ⁵²³⁴	No	No	No	No	No

Miscellaneous

License Revocation	DNA Test	Sex Registry	Deny Benefits
No	Yes ⁵²³⁵	Yes ⁵²³⁶ The offender shall be assessed a civil penalty of \$250 ⁵²³⁷	No

Notes:

⁵²²⁷ Iowa Code § [728.15](#)(4)(b).

⁵²²⁸ Iowa Code § [902.9](#)(1)(e).

⁵²²⁹ Iowa Code § [902.9](#)(1)(e).

⁵²³⁰ See Iowa Code § [907.3](#).

⁵²³¹ Iowa Code § [902.9](#)(1)(e).

⁵²³² Iowa Code § [902.9](#)(1)(e).

⁵²³³ See Iowa Code § [902.9](#)(1)(e); *State v. Ayers*, 590 N.W.2d 25, 31 (Iowa 1999).

⁵²³⁴ Iowa Code § [911.1](#)(1).

⁵²³⁵ Iowa Code §§ [81.2](#)(1), [901.5](#)(8A)(a).

⁵²³⁶ Iowa Code § [692A.102](#)(1)(a)(10)(a).

⁵²³⁷ Iowa Code § [692A.110](#).

SENTENCING ENHANCEMENTS

1. Sexually Predatory Offenses (SPO)

A. Definition of SPO

- ❖ Any serious or aggravated misdemeanor, or felony violation of:
 - Ch. [709](#) (“Sexual Abuse”)⁵²³⁸
 - § [710.10](#)(1) (“Enticing a minor”)⁵²³⁹
 - § [725.3](#)(2) (“Pandering involving a minor”)⁵²⁴⁰
 - § [728.12](#)(1) (“Sexual exploitation of a minor”)⁵²⁴¹
- ❖ Any attempt to commit any of the offenses listed directly above⁵²⁴²
- ❖ Any offense under the prior law of Iowa or committed in another jurisdiction that is the equivalent of any of the offenses listed above (including attempt)⁵²⁴³

B. Other Helpful Definitions

- ❖ “Prior Conviction” (for purposes of ch. [901A](#))⁵²⁴⁴
 - Can include any of the following:
 - Guilty plea
 - Deferred judgment
 - Deferred or suspended sentence
 - Adjudication of delinquency
 - Note: does not matter if prior conviction occurred before, on, or after March 31, 2000
- ❖ “Sexually Violent Offense” (SVO) (for purposes of ch. [901A](#))⁵²⁴⁵
 - Same as defined in § [229A.2](#), which means violation of:
 - § [707.1](#) (murder involving [attempted/intent to commit] sexual abuse)⁵²⁴⁶
 - Ch. [709](#) (“Sexual Abuse”)⁵²⁴⁷
 - § [710.1](#) (kidnapping involving [attempted/intent to commit] sexual abuse)⁵²⁴⁸
 - § [713.1](#) (burglary involving [attempted/intent to commit] sexual abuse)⁵²⁴⁹
 - § [725.3](#)(2) (pandering involving a minor)⁵²⁵⁰
 - § [726.6](#)(1)(e) (child endangerment involving [attempted/intent to commit] sexual abuse)⁵²⁵¹
 - § [728.12](#) (sexual exploitation of a minor involving [attempted/intent to commit] sexual abuse)⁵²⁵²
 - Any offense:
 - involving attempt or conspiracy to commit any of the above offenses,⁵²⁵³ or
 - under prior Iowa law or committed in another jurisdiction that would be the equivalent of any of the above offenses (including attempt/conspiracy)⁵²⁵⁴

⁵²³⁸ Iowa Code § [229A.2](#) (1)(a).

⁵²³⁹ Iowa Code § [229A.2](#)(1)(c).

⁵²⁴⁰ Iowa Code § [229A.2](#)(1)(d).

⁵²⁴¹ Iowa Code § [229A.2](#)(1)(b).

⁵²⁴² Iowa Code § [229A.2](#)(1)(e).

⁵²⁴³ Iowa Code § [229A.2](#)(1)(f).

⁵²⁴⁴ Iowa Code § [229A.2](#)(2).

⁵²⁴⁵ Iowa Code § [229A.2](#).

⁵²⁴⁶ Iowa Code § [229A.2](#)(11) (b)(1).

⁵²⁴⁷ Iowa Code § [229A.2](#)(11)(a).

⁵²⁴⁸ Iowa Code § [229A.2](#)(11)(b)(2).

⁵²⁴⁹ Iowa Code § [229A.2](#)(11)(b)(3).

⁵²⁵⁰ Iowa Code § [229A.2](#)(11)(d).

⁵²⁵¹ Iowa Code § [229A.2](#)(11)(b)(4).

⁵²⁵² [Iowa Code § 229A.2\(11\)\(c\) \(2019\)](#) (as amended by 2019 Iowa Acts ch. 17, § 2, effective 7/1/2019).

⁵²⁵³ Iowa Code § [229A.2](#)(11)(e).

⁵²⁵⁴ Iowa Code § [229A.2](#)(11)(f).

- Any act that has been determined to be sexually motivated⁵²⁵⁵
 - Determination must be:⁵²⁵⁶
 - ◆ Beyond a reasonable doubt, *and*
 - ◆ Done either at time of sentencing or during civil commitment proceedings pursuant to ch. 229A

C. Possible Effects on Sentencing

i. If SPO is a ser/agg mis + 1 prior SPO conviction⁵²⁵⁷

- ❖ Mand. Min. before Parole Eligible:
 - Twice the maximum period of incarceration for the offense
- ❖ Parole or Work Release:
 - “In addition to any other sentence imposed . . . the person shall be sentenced to an additional term of parole or work release not to exceed two years.”⁵²⁵⁸
 - But “[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program.”⁵²⁵⁹
- ❖ Not eligible for DJ, DS, or SS⁵²⁶⁰
- ❖ Sentence Reduction:
 - Not eligible for sentence reduction under ch. 903A (“Reduction of Sentences”) or otherwise by more than 15%

ii. If SPO is a ser/agg mis + 2 or more prior SPO convictions⁵²⁶¹

- ❖ Term of Incarceration = 10 years
- ❖ Parole or Work Release:
 - “In addition to any other sentence imposed . . . the person shall be sentenced to an additional term of parole or work release not to exceed two years.”⁵²⁶²
 - But “[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program.”⁵²⁶³
- ❖ Not eligible for DJ, DS, or SS⁵²⁶⁴
- ❖ Sentence Reduction:
 - Not eligible for sentence reduction under ch. 903A (“Reduction of Sentences”) or otherwise by more than 15%

iii. Second Conviction for Violation of § 709.3(1)(b)⁵²⁶⁵

- ❖ Sentence = life commitment to custody of the director of the Iowa Department of Corrections
- ❖ Not eligible for DJ, DS, or SS⁵²⁶⁶
- ❖ Terms and conditions that apply to sentences for “A” felonies under chapters 901–909 apply

iv. If SPO is a felony + 1 prior SPO⁵²⁶⁷

- ❖ Term of incarceration = the greater of:

⁵²⁵⁵ Iowa Code § [229A.2](#)(11) (g). “‘Sexually motivated’ means that one of the purposes for commission of a crime is the purpose of sexual gratification of the perpetrator of the crime.” *Id.* § [229A.2](#)(10).

⁵²⁵⁶ Iowa Code § [229A.2](#)(11) (g).

⁵²⁵⁷ Iowa Code § [901A.2](#) (1).

⁵²⁵⁸ Iowa Code § [901A.2](#) (8).

⁵²⁵⁹ Iowa Code § [901A.2](#) (8).

⁵²⁶⁰ Iowa Code § [901A.2](#) (7).

⁵²⁶¹ Iowa Code § [901A.2](#) (2).

⁵²⁶² Iowa Code § [901A.2](#) (8).

⁵²⁶³ Iowa Code § [901A.2](#) (8).

⁵²⁶⁴ Iowa Code § [901A.2](#) (7).

⁵²⁶⁵ Iowa Code § [901A.2](#) (5).

⁵²⁶⁶ Iowa Code § [901A.2](#) (7).

⁵²⁶⁷ Iowa Code § [901A.2](#) (3).

- Twice the maximum period of incarceration, or
- 25 years
- ❖ Parole or Work Release:
 - “In addition to any other sentence imposed . . . the person shall be sentenced to an additional term of parole or work release not to exceed two years.”⁵²⁶⁸
 - But “[t]he board of parole shall determine whether the person shall be released on parole or placed in a work release program.”⁵²⁶⁹
- ❖ Not eligible for DJ, DS, or SS⁵²⁷⁰
- ❖ Sentence Reduction:
 - Not eligible for sentence reduction under ch. 903A (“Reduction of Sentences”) or otherwise by more than 15%

v. ***If SPO is a felony + prior sentencing under § 901A.2(3)***⁵²⁷¹

- ❖ Sentence = life in prison
 - Same terms as a class “A” felony under § [902.1](#)
- ❖ Not eligible for DJ, DS, or SS⁵²⁷²
- ❖ Note: prosecuting attorney must allege and prove that person:⁵²⁷³
 - Committed felony SPO
 - Was previously convicted of felony SPO, and
 - When previously convicted of felony SPO, also had 1 prior SPO conviction

vi. ***Transitional release program placement + subsequent misdemeanor SPO or SVO under ch. 709***⁵²⁷⁴

- ❖ Note: for this enhancement to apply, the person must have been:
 - Placed in a transitional release program, released with supervision, or discharged pursuant to ch. 229A, and
 - Subsequently convicted of a misdemeanor SPO or SVO
- ❖ Sentence = life in prison
- ❖ Parole eligible = “as provided in chapter [906](#)”
- ❖ Not eligible for DJ, DS, or SS⁵²⁷⁵

vii. ***Transitional release program placement + subsequent SPO or SVO***

- ❖ Note: for this enhancement to apply, the person must have been:
 - Placed in transitional release program, released with supervision, or discharged per to ch. 229A, and
 - Subsequently convicted of SPO or SVO
- ❖ Sentence = life in prison
 - Same terms as a class “A” felony under § [902.1](#)
- ❖ Terms and conditions applicable to class “A” felonies under chapters 901–909 apply
- ❖ Not eligible for DJ, DS, or SS⁵²⁷⁶

2. Use of a Dangerous Weapon⁵²⁷⁷

- ❖ Requirements:
 - At trial of person charged with participating in forcible felony

⁵²⁶⁸ Iowa Code § [901A.2](#) (8).

⁵²⁶⁹ Iowa Code § [901A.2](#)(8).

⁵²⁷⁰ Iowa Code § [901A.2](#)(7).

⁵²⁷¹ Iowa Code § [901A.2](#)(4).

⁵²⁷² Iowa Code § [901A.2](#)(7).

⁵²⁷³ Iowa Code § [901A.2](#)(4).

⁵²⁷⁴ Iowa Code § [901A.2](#)(6) (amended by 2018 Iowa Acts ch. 1165, § 106 to eliminate “without” from the previous “with or without supervision” language, effective 7/1/2018).

⁵²⁷⁵ Iowa Code § [901A.2](#)(7).

⁵²⁷⁶ Iowa Code § [901A.2](#)(7).

⁵²⁷⁷ Iowa Code § [902.7](#).

- Trier of fact finds beyond a reasonable doubt:
 - 1. Person is guilty of a forcible felony, *and*
 - 2. While participating in forcible felony, person:
 - Represented was in immediate possession or control of a dangerous weapon, *or*
 - Displayed a dangerous weapon in a threatening manner, *or*
 - Was armed with a dangerous weapon
- Enhancement was alleged in indictment, allegation was supported by the evidence, the court submitted to the jury a special interrogatory re: this allegation, and the jury answered in the affirmative that the underlying elements of the enhancement were satisfied⁵²⁷⁸
- ❖ Results:
 - Sentence Minimum = 5 years
 - Mand. Min. before Parole Eligible = 5 years
 - Possible Sentence Reduction:
 - sentencing court has discretion to sentence offender to term less than provided by statute if all of the following apply⁵²⁷⁹:
 - offender pleads guilty
 - mitigating circumstances exist
 - those circumstances are stated specifically in the record
- ❖ Helpful Definitions:
 - “Dangerous Weapon”⁵²⁸⁰
 - Option #1:
 - Any instrument or device
 - ◆ designed primarily for use in inflicting death or injury on a human or animal, *and*
 - ◆ that is capable of inflicting death on a human when used in the manner for which it was designed
 - Exception:
 - ◆ Bow and arrow when possessed and used for hunting or any other lawful purpose
 - Option #2:
 - Any instrument or device of any sort whatsoever
 - ◆ That is actually used to indicate that the defendant intends to inflict death or serious injury on another, *and*
 - ◆ When so used, is capable of inflicting death on a human
 - Option #3:
 - Includes but not limited to:
 - ◆ Any offensive weapon
 - ◆ Pistols
 - ◆ Revolvers
 - ◆ Other firearms
 - ◆ Daggers
 - ◆ Razors
 - ◆ Stilettos
 - ◆ Switchblade knives
 - ◆ Knives having a blade exceeding five inches in length
 - ◆ Any portable device or weapon directing an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person
 - “Forcible Felony”⁵²⁸¹

⁵²⁷⁸ Iowa R. Crim. P. 2.6(6).

⁵²⁷⁹ Iowa Code § [901.10](#)(1).

⁵²⁸⁰ Iowa Code § [702.7](#).

⁵²⁸¹ Iowa Code § [702.11](#).

- Any felonious child endangerment, assault, murder, sexual abuse, kidnapping, robbery, human trafficking, arson in the first degree, or burglary in the first degree⁵²⁸²
- Exceptions—following are not forcible felonies:
 - Violations of:
 - ◆ § [708.2](#)(4) (assault)⁵²⁸³
 - ◆ § [708.2](#)A(5) (domestic abuse assault)⁵²⁸⁴
 - ◆ § [708.4](#)(2) (willful injury)⁵²⁸⁵
 - ◆ § [708.12](#)(3)(f) (removal of officer's communication or control device)⁵²⁸⁶
 - ◆ § [709.4](#)(1)(b)(3)(d) (sexual abuse)⁵²⁸⁷
 - ◆ § [709.15](#) (sexual exploitation by counselor, therapist, or school employee)⁵²⁸⁸
 - ◆ § [726.6](#)(6) (child endangerment)⁵²⁸⁹
 - Third-degree sexual abuse committed between spouses⁵²⁹⁰

3. Firearm or Offensive Weapon in Weapons Free Zone⁵²⁹¹

- ❖ Requirements:
 - Commit public offense involving a firearm or offensive weapon in violation of any Code chapter
 - Offense committed within a weapons free zone
- ❖ Result:
 - Fine = twice the max. amount which may otherwise be imposed for the public offense
- ❖ Helpful Definitions:
 - “Offensive Weapon”—see Iowa Code § [724.1](#).
 - “Weapons Free Zone”⁵²⁹²
 - “the area in or on, or within one thousand feet of, the real property comprising a public or private elementary or secondary school, or in or on the real property comprising a public park”
 - Does not include the “portion of a public park designated as a hunting area under section 461A.42”

4. Habitual Offender⁵²⁹³

- ❖ Requirements:
 - Conviction of class “C” or “D” felony
 - 2 previous felony convictions “in a court of this or any other state, or of the United States”
- ❖ Results:
 - Sentence Max. = 15 years⁵²⁹⁴
 - Mand. Min. before Parole Eligible = 3 years of confinement
 - Not eligible for DJ⁵²⁹⁵
- ❖ Helpful Definition:
 - “Felony”

⁵²⁸² Iowa Code § [702.11](#)(1).

⁵²⁸³ Iowa Code § [702.11](#)(2)(f).

⁵²⁸⁴ Iowa Code § [702.11](#)(2)(g).

⁵²⁸⁵ Iowa Code § [702.11](#)(2)(a).

⁵²⁸⁶ Iowa Code § [702.11](#)(2)(h).

⁵²⁸⁷ Iowa Code § [702.11](#)(2)(c).

⁵²⁸⁸ Iowa Code § [702.11](#)(2)(d).

⁵²⁸⁹ Iowa Code § [702.11](#).

⁵²⁹⁰ Iowa Code § [702.11](#)(2)(b).

⁵²⁹¹ Iowa Code § [724.4A](#)(2).

⁵²⁹² Iowa Code § [724.4A](#)(1).

⁵²⁹³ Iowa Code § [902.8](#).

⁵²⁹⁴ Iowa Code § [902.9](#)(1)(c).

⁵²⁹⁵ Iowa Code § [907.3](#) (1)(a)(1).

- “An offense is a felony if, by the law under which the person is convicted, it is so classified at the time of the person’s conviction.”

5. Felony Conviction + Prior Felony Convictions⁵²⁹⁶

- ❖ Requirements:
 - Person must be:
 - Serving a sentence for conviction of a felony, *or*
 - Have 1 or more prior convictions for a forcible felony, *or*
 - Have 1 or more prior convictions for a crime of similar gravity to a forcible felony
- ❖ Results:
 - Mand. Min. before Parole Eligible = $\frac{1}{2}$ of the maximum term of the defendant’s sentence
- ❖ Exceptions—this does not apply if:
 - The prior forcible felonies’ sentences expired at least 5 years before the date of conviction for present felony,⁵²⁹⁷ *or*
 - Sentence being served is for operating a motor vehicle while under the influence of alcohol or a drug under chapter 321J⁵²⁹⁸

6. Sexual Abuse or Lascivious Acts with a Child⁵²⁹⁹

- ❖ Requirements:
 - Person commits second or subsequent offense involving any combination of the following:
 - Violation of § [709.3](#) (second-degree sexual abuse)
 - Violation of § [709.4](#) (third-degree sexual abuse)
 - Violation of § [709.8\(1\)\(a\)](#) or (b) (lascivious acts with a child)
- ❖ Results:
 - Class = “A” felony
 - See § [902.1](#) for “A” felony consequences

7. Conviction of a Serious Sex Offense

- ❖ Definition of Serious Sex Offense (SSO)⁵³⁰⁰
 - Victim of offense was 12 or younger at time of offense, *and*
 - Offense was a violation of any of the following:
 - § [709.2](#) (first-degree sexual abuse)
 - § [709.3](#) (second-degree sexual abuse)
 - § [709.4](#) (third-degree sexual abuse)
 - § [709.8](#) (lascivious acts with a child)
 - § [902.11](#) (assault with intent)
 - § [709.12](#) (indecent contact with a minor)
 - § [902.14](#) (lascivious conduct with a minor)
 - § [709.15](#) (sexual exploitation)
 - § [728.12\(1\)](#) or (2) (sexual exploitation of a minor)
- ❖ Results:
 - First conviction of SSO:⁵³⁰¹
 - Person *may* be required to undergo hormone intervention therapy as part of any conditions of release imposed by the court or board of parole

⁵²⁹⁶ Iowa Code § [902.11](#), unnum. para. 1.

⁵²⁹⁷ Iowa Code § [902.11\(1\)](#).

⁵²⁹⁸ Iowa Code § [902.11\(2\)](#).

⁵²⁹⁹ Iowa Code § [902.14](#).

⁵³⁰⁰ Iowa Code § [903B.10\(3\)](#).

⁵³⁰¹ Iowa Code § [903B.10\(1\)](#).

- If required, person shall pay reasonable fee for costs of providing the treatment⁵³⁰²
 - Note: “A requirement that a person pay a fee shall include provision for reduction, deferral, or waiver of payment if the person is financially unable to pay the fee.”⁵³⁰³
- Second or subsequent conviction of SSO:⁵³⁰⁴
 - Person *shall* be required to undergo hormone intervention therapy as a condition of release
 - Person shall pay reasonable fee for costs of providing the treatment⁵³⁰⁵
 - Note: “A requirement that a person pay a fee shall include provision for reduction, deferral, or waiver of payment if the person is financially unable to pay the fee.”⁵³⁰⁶
- Exceptions:
 - Not required for second or subsequent conviction of SSO if after appropriate assessment, court or board determines treatment would not be effective⁵³⁰⁷
 - Not required if person voluntarily undergoes permanent surgical alternative approved by court or board⁵³⁰⁸

⁵³⁰² Iowa Code § [903B.10\(5\)](#).

⁵³⁰³ Iowa Code § [903B.10\(5\)](#).

⁵³⁰⁴ Iowa Code § [903B.10\(1\)](#).

⁵³⁰⁵ Iowa Code § [903B.10\(5\)](#).

⁵³⁰⁶ Iowa Code § [903B.10\(5\)](#).

⁵³⁰⁷ Iowa Code § [903B.10\(1\)](#).

⁵³⁰⁸ Iowa Code § [903B.10\(1\)](#).

UNDER 18 SENTENCING

Max. Jail/Prison Time:

- ❖ categorical rule—cannot sentence to life without parole⁵³⁰⁹
- ❖ for violations of § [707.2](#), murder in the first degree, sentenced per § [902.1](#)(2)
- ❖ for commission of any other “A” felony, sentenced per § [902.1](#)(3)
- ❖ for violations of the following chapters, see § [903.1](#)(3):
 - 321
 - 321G
 - 321I
 - 453A
 - 461A
 - 461B
 - 462A
 - 481A
 - 481B
 - 483A
 - 484A
 - 484B

Mand. Min. before Parole Eligible:

- ❖ before can impose mandatory minimum, must consider youth and its attendant circumstances as a mitigating factor⁵³¹⁰
 - However, “*Miller [v. Alabama]* requires ‘more than a generalized notion of taking age into consideration as a factor in sentencing.’”⁵³¹¹
 - “[Sentencing] court must expressly recognize certain concepts and ‘should make findings why the general rule [that children are constitutionally different from adults] does not apply.’”⁵³¹²
 - Sentencing court must consider the following factors:
 - “(1) the ‘chronological age’ of the youth and the features of youth, including ‘immaturity, impetuosity, and failure to appreciate risks and consequences’; (2) the ‘family and home environment’ that surrounded the youth; (3) ‘the circumstances of the . . . offense, including the extent of [the youth’s] participation in the conduct and the way familial and peer pressures may have affected [the youth]’; (4) the ‘incompetencies associated with youth—for example, [the youth’s] inability to deal with police officers or prosecutors (including on a plea agreement) or [the youth’s] incapacity to assist [the youth’s] own attorneys’; and (5) ‘the possibility of rehabilitation.’”⁵³¹³
 - CAUTION: The above summary is only a cursory introduction to the complex analysis necessary in this area. Case law is still evolving on these issues. Research and satisfy yourself as to the requirements to any particular set of facts.

DJ, DS, or SS Eligible:

- ❖ For commission of any offense other than an “A” felony, may defer judgment or sentence or suspend sentence, per § [901.5](#)(14)

DNA Test:

- ❖ may be required per § [232.52](#) (11)

⁵³⁰⁹ *State v. Sweet*, 879 N.W.2d 811, 832 (Iowa 2016).

⁵³¹⁰ *State v. Lyle*, 854 N.W.2d 378, 403 (Iowa 2014).

⁵³¹¹ *State v. Lyle*, 854 N.W.2d 378, 402 n.8 (Iowa 2014) (quoting *State v. Null*, 836 N.W.2d 41, 74 (Iowa 2013)).

⁵³¹² *State v. Lyle*, 854 N.W.2d 378, 402 n.8 (Iowa 2014) (second alteration in original) (quoting *State v. Null*, 836 N.W.2d 41, 74 (Iowa 2013)).

⁵³¹³ *State v. Ragland*, 836 N.W.2d 107, 115 n.6 (Iowa 2013) (quoting *Miller v. Alabama*, 567 U.S. 460, 132 S. Ct. 2455, 2468 (2012)).

Cases that May Be Informative:

- ❖ *State v. Sweet*, 879 N.W.2d 811 (Iowa 2016).
- ❖ *State v. Louisell*, 865 N.W.2d 590 (Iowa 2015).
- ❖ *State v. Lyle*, 854 N.W.2d 378 (Iowa 2014).
- ❖ *State v. Ragland*, 836 N.W.2d 107 (Iowa 2013).
- ❖ *State v. Pearson*, 836 N.W.2d 88 (Iowa 2013).
- ❖ *State v. Null*, 836 N.W.2d 41 (Iowa 2013).